

# THE CHARTER

OF THE

## CITY OF GREENSBORO

NORTH CAROLINA

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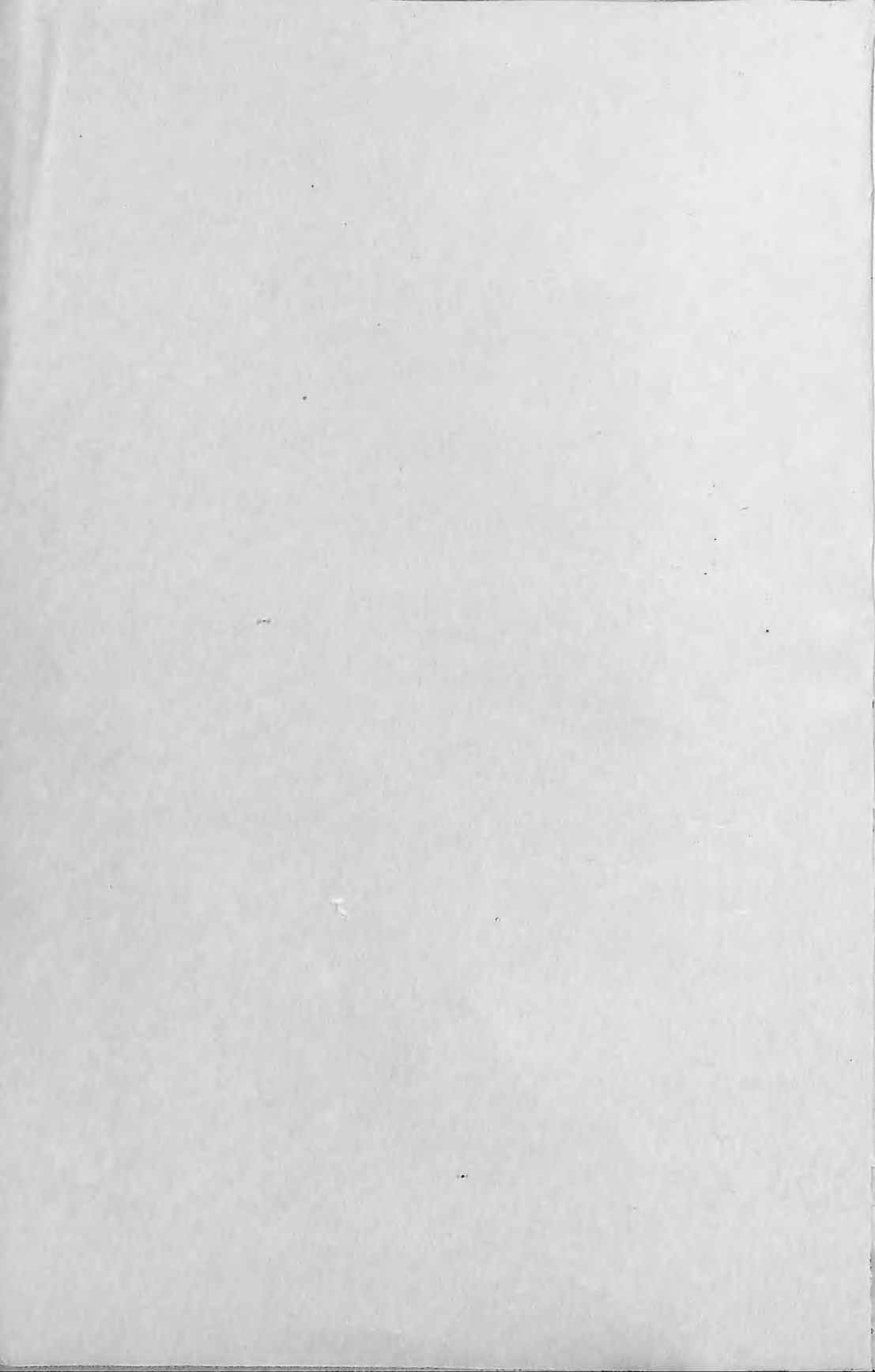
1912





THE CHARTER  
OF THE  
CITY OF GREENSBORO

1842



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1912

**THE CHARTER**  
OF THE  
**CITY OF GREENSBORO**  
NORTH CAROLINA

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1912

THE CHARTER

OF THE

CITY OF GREENSBORO

NORTH CAROLINA

1878

OFFICERS  
OF THE  
CITY OF GREENSBORO

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1912

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T. J. MURPHY, MAYOR

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BOARD OF COMMISSIONERS:

THOS. J. MURPHY  
COMMISSIONER OF PUBLIC ACCOUNTS AND FINANCES

J. GILES FOUSHEE, JR.  
COMMISSIONER OF PUBLIC WORKS

R. M. REES  
COMMISSIONER OF PUBLIC SAFETY

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R. M. REES . . . . . TREASURER  
THOS. J. MURPHY . . . . . TAX COLLECTOR  
A. WAYLAND COOKE . . . . . CITY ATTORNEY  
M. M. BOYLES . . . . . CITY ENGINEER  
JOHN S. MICHAUX . . . . . CITY CLERK  
I. B. ISLEY . . . . . CHIEF OF POLICE  
J. L. MANN, PH. D. . . SUPERINTENDENT CITY SCHOOLS  
J. W. FRY . . . SUPERVISOR OF PARKS AND CEMETERIES  
F. N. TAYLOR . . . . . CHIEF OF FIRE DEPARTMENT

597902





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# THE CHARTER

## OF THE

# CITY OF GREENSBORO\*

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An act to be entitled, "An Act to incorporate the City of Greensboro, and to repeal its present Charter and all laws in conflict with this Act."

*The General Assembly of North Carolina do enact:*

### CHAPTER I.

#### ORGANIZATION

Sec. 1. That the inhabitants of the City of Greensboro shall continue, as they have heretofore been, a body politic and corporate, under the name and style of the "City of Greensboro", and by that name shall have perpetual succession, may sue and be sued, may acquire and hold all such property, real and personal, as may be devised, bequeathed, sold, or in any manner conveyed to it, and may invest, sell, or dispose of same, and may have a common seal and alter and renew the same at pleasure, and may have and exercise all the powers, rights and privileges necessary, for its proper government or usually appertaining to municipal corporations.

Corporation continued.

Corporate name.

Power to hold and convey property.

General powers.

Sec. 2. That the corporate limits of said city shall form a square, the center of which shall be the center of the intersection of Elm and Market Streets, and the sides of said square shall each be two miles in length, and shall cut at right angles imaginary lines drawn due north, south, east and west, from the center, which said territory shall consist of four square miles.

Corporate limits.

Sec. 3. That all property, real, personal and mixed, of

Property vested in city.

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Private Laws of North Carolina, 1911, page 1.

whatsoever character or description, and wheresoever situate, now held, controlled or used by the City of Greensboro for any purpose, or which may hereafter be held, controlled or used by said city, or which may have been vested in said city by virtue of any law of the State of North Carolina, and any and all judgments, liens, rights of liens, and causes of action of any and all kinds in favor of said City of Greensboro, shall vest in and remain and enure to the said City of Greensboro, its successors and assigns under this Act.

Corporate  
powers,  
how  
exercised.

Sec. 4. That the corporate powers of the City of Greensboro shall be exercised as hereinafter provided by the Board of Commissioners and such other officers and agents as are hereinafter provided for, subject to such limitations as may be hereinafter imposed.

Corporate  
powers,  
duties, etc.,  
how dis-  
tributed.

Sec. 5. That the executive and administrative powers, authority and duties, in the City of Greensboro are distributed into and among the several departments, and the powers and duties to be performed are assigned to the appropriate departments and officers, all as herein set forth.

## CHAPTER II.

### BOARD OF COMMISSIONERS

What con-  
stitutes Board  
of Commis-  
sioners.

Sec. 6. The Board of Commissioners shall consist of three members, one of whom shall be Mayor, and all of whom shall be elected by vote of the people, as hereinafter provided. One of said Commissioners shall be elected and known as the Commissioner of Public Works, one of said Commissioners shall be elected and known as the Commissioner of Public Safety, and the Mayor shall be known as the Commissioner of Public Accounts and Finances.

### MAYOR

Mayor, Chief  
Executive.  
Duties of  
Mayor.

Sec. 7. The Mayor shall be Chief Executive Officer of the City of Greensboro, and subject to the supervision of the Board of Commissioners, and shall perform all duties pertaining to such office. He shall do and perform all the duties provided or prescribed by law, or by the ordinances of the City of Greensboro not expressly delegated to any other person. He shall have general supervision and oversight over the departments and offices of the city government, and shall

General  
oversight.



be the chief representative of the city, and shall report to the Board any failures on the part of any of the officers of his or of any other department to perform their duties, and shall preside at all meetings of the Board of Commissioners. He shall sign all contracts on behalf of the city, unless otherwise provided by law, or ordinance, or resolution of the Board of Commissioners; he shall have charge of and cause to be prepared and published all statements and reports required by law or ordinance or by resolution of the Board of Commissioners.

Chief representative.

Presides at meetings of Board.  
Signs all contracts, etc.  
Causes statements to be prepared.

### COMMISSIONER OF PUBLIC ACCOUNTS AND FINANCES

Sec. 8. The Commissioner of Public Accounts and Finances (who is also Mayor) shall be the purchasing agent of the Board of Commissioners of the City of Greensboro, and all property, supplies, and material of every kind whatsoever, shall, upon the order of the Board of Commissioners, be purchased by him, and when so purchased, the bills therefor shall be submitted to and proved by the Board of Commissioners before warrants are issued therefor; when such warrants are issued they shall be signed by the said Commissioner and countersigned by some other person to be designated by the Board of Commissioners; he shall be collector of all taxes; he shall collect water rents; he shall issue all license or permits as provided by law, ordinance or resolution adopted by the Board of Commissioners, and in the absence or inability of any Commissioner to act he shall exercise temporary supervision over the department assigned to the said Commissioner, subject, however, to the power of the Board to substitute some one else to temporarily perform any of such duties; he shall have control of all employes of his department, and of all other officers and employees not by law, ordinance or resolution of the Board of Commissioners apportioned or assigned to some other department; he shall have charge of and supervision over all accounts and records of the city, and accounts of all officers, agents and departments required by law or by the Board of Commissioners to be kept or made; he shall regularly at least once in three months inspect or superintend inspection of all records or accounts required to be kept in any of the offices or departments of the city, and shall cause proper accounts and records to be kept, and proper reports to be made; he shall recommend to the Board methods of modern

Purchasing Agent.

Bills to be approved by Commissioners.

Warrants countersigned.

Collects taxes, etc.  
Issues licenses.

Exercises temporary supervision over other Commissioners in his absence.  
Control of employees in his department, etc.

Has charge of all accounts, etc.

Must inspect records and accounts once every 3 mos.

Require accounts audited quarterly.	<p>bookkeeping for all the departments, employees and agents of the city, and shall, acting for the Board of Commissioners, audit or cause to be audited by an expert accountant, quarterly, the accounts of every officer or employee who does or may receive or disburse money, and shall publish or cause to be published quarterly statements showing the financial condition of the city; he shall examine or cause to be examined all accounts, pay rolls and claims before they are acted on or allowed, unless otherwise provided by law or by order of the Board of Commissioners; he shall procure from all persons, firms or corporations operating public service utilities in the city, and cause to be placed on file, such reports as are by law or ordinance, or order of the Board of Commissioners required to be made by said public service corporation to the city or any of its officers, and shall procure copies of such reports as are made to the state or any public department or office, and cause the same to be placed on file, and shall collect all license fees, franchise taxes, rentals and other moneys which may be due or become due to the city; he shall report the failure on the part of any person, firm or corporation to pay money due the city; he shall report to the Board of Commissioners any failure on the part of any person, firm or corporation to make such reports as are required by law, ordinance or order of the Board of Commissioners to be made, and shall make such recommendations with reference thereto as he may deem proper; he shall, unless otherwise provided by the Board of Commissioners, cause to be examined the accounts and records of any person, firm or corporation operating a public service utility in the city, whenever such person, firm or corporation is required to submit its accounts to the city for examination, and shall report to the Board of Commissioners any refusal on the part of any such person, firm or corporation to submit to such examination; the Assessor, Auditor, City Clerk, City Attorney, and their respective offices or departments, and all employees therein, and all bookkeepers and accountants are apportioned and assigned to the Department of Public Accounts and Finances, and shall be under the direction and supervision of the Commissioner thereof; he shall do and perform any and all other services ordered by the Board, or may be ordered by the Board not herein expressly conferred upon some other department.</p>
Publish quarterly statements.	
Examines pay rolls.	
Require reports from all public service corporations.	
Collects license fees, franchise taxes, rentals, etc.	
Make recommendations.	
Cause accounts and records of public service corporations to be examined, etc.	
Assessor, Auditor, City Clerk, City Attorney, Bookkeepers, etc., assigned to his department.	

## COMMISSIONER OF PUBLIC WORKS

Sec. 9. The Commissioner of Public Works shall have authority and charge over all the public works not herein expressly given to some other department, the construction, cleansing, sprinkling, and repair of the streets and public places, the erection of buildings for the city, the making and construction of all other improvements, paving, curbing, sidewalks, bridges, viaducts, and the repair thereof; he shall approve all estimates of the Civil Engineer, of the cost of public works, and recommend to the Board of Commissioners the acceptance of the work done or improvements made, when completed according to the contract, and perform such other duties with reference to such other matters as may be required by law, ordinance, or order of the Board of Commissioners; he shall have control, management and direction of all public grounds, bridges, viaducts, subways, and buildings not otherwise assigned herein to some other department; he shall have supervision of the enforcement of the provisions of law, and the ordinances relating to streets, public squares and places, cemeteries, and control of the placing of bill boards, and street waste paper receptacles; he shall have supervision over the public service utilities not otherwise assigned to some other department, and all persons, firms or corporations rendering services in the city under any franchise, contract or grant made by the city or state, not otherwise assigned to some other department; he shall have control of the location of street car tracks, telephone and telegraph wires, and other things placed by public service corporations in, along, under or over the streets, and shall report to the Board of Commissioners or city officers as may be appointed by them to receive his reports, any failure of such person or corporation to render proper service under a franchise granted by the city or by the state, and shall report any failure on the part of such person, firm or corporation to observe the requirements or conditions of such franchise, contract or grant.

Authority over all public works, paving, curbing, sidewalks, bridges, viaducts, etc.

Approves estimates of Civil Engineer.

Control of public grounds.

Streets, and squares, bill boards, cemeteries.

Public service corporations.

Control of locations of streets, car tracks, telephone and telegraph poles.

Watersheds, pumping stations, water supply.

To secure rights of way, etc.

He shall have charge of the water sheds from which the city takes its supply of water, pumping stations, pipe lines, filtering apparatus, and all other things connected with or incident to the proper supply of water for the City of Greensboro; it shall be his duty to act for the city, subject to the control of the Board of Commissioners, in securing all rights of

Superintends  
erection  
water tanks,  
etc.

Control of  
Civil Engi-  
neer.

Streets,  
parks,  
cemeteries.

Other  
services.

way and easements connected with and necessary to the supply of water for the city; he shall have supervision and control of all buildings, grounds and apparatus connected therewith, and incident to the furnishing of water for the city; he shall superintend the erection of water tanks, and laying of water lines and the operation thereof.

The department of the Civil Engineer, and all employees therein, the departments of streets, parks, cemeteries, buildings, and all employees in said departments shall be under the supervision and control of the Commissioner of Public Works. The said Commissioner shall have supervision and control, and it shall be his duty to keep in good condition the streets, cemeteries and public parks in the City of Greensboro, or belonging to said city, subject to the supervision and control of the Board of Commissioners; he shall do and perform all other services ordered by the Board, or that may be ordered by the Board not herein expressly conferred upon some other department.

#### COMMISSIONER OF PUBLIC SAFETY

Commissioner  
of Public  
Safety.  
Control of  
Police force.  
May supplant  
the Chief.  
May direct  
Police.

Charge of  
Police sta-  
tions, jail,  
patrol wag-  
ons, etc.

Control Fire  
Department.

May tempor-  
arily super-  
sede Chief  
of Fire De-  
partment.  
Charge of  
building,  
electrical and  
plumbing  
inspector,  
market house,  
etc.

Sec. 10. The Commissioner of Public Safety shall have charge of the police force, subject to the supervision and control of the Board of Commissioners, and shall have power to temporarily supplant the Chief of Police and take charge of the department, and shall at all times have power to give direction to the officers and all employees in the police department, and his direction shall be binding upon all such officers and employees, subject only to the control of the Board of Commissioners; he shall have charge of the police stations, jails, and property and apparatus connected therewith, including city ambulance, and patrol wagons used in connection with his department; he shall have supervision and control, subject to the control of the Board of Commissioners, of the Fire Department, of all firemen, officers, and employees therein, or connected therewith, and of all fire stations, property and apparatus used in connection with the Fire Department; and of the fire alarm system, and all property and apparatus connected therewith; he shall have power to temporarily supersede the Chief of the Fire Department, and his orders to said department and all employees therein, shall be binding upon said department: he shall have charge of the electrical inspector, plumbing inspector, building inspector, market house, and the employees connected therewith, and of all apparatus and



property used therein; he shall have charge and supervision and direction over all officers and employees in his department; he shall be charged with the duty of enforcing all ordinances and resolutions relating to traffic on the public streets, alleys and public ways, on and across railway lines, and through and over the cemetery ways, public parks and other public places; he shall, subject to the supervision of the Board of Commissioners, have control of the laws, ordinances and orders relating to the public health and sanitation, and all health officers, employees of the city connected with and under his department, and it shall be the duty of the Board of Commissioners to pass such ordinances and prescribe such rules and regulations, and employ such persons as will be necessary to preserve and protect public health; he shall have control and supervision, through the health officer under his department, over public dumping grounds and dumps, and city scavenger; he shall be charged, through his department, with the enforcement of all quarantine regulations, of keeping clean all streets, alleys and public places, and with suppressing and removing conditions on private property within the city that are a menace to health or public safety; he shall be authorized to enter upon private premises for the purpose of discharging the duties imposed upon him, and he shall cause to be abated all nuisances which may endanger or affect the health of the city, and generally do all things, subject to the control of the Board of Commissioners, that may be necessary and expedient for the promotion of the health and the suppression of disease.

Charge of enforcing ordinances as to traffic on streets, parks.

Public health.

Dumping grounds.

Quarantine.

Authorized to enter upon private property to remove or abate nuisances.

General powers.

Control of Sewer and Inspector.

Lighting system.

See that lighting companies perform obligations.

Charge of employees in his department.

He shall have control and supervision over the sewer system in the City of Greensboro; he shall have charge of and control over the sewer inspector, and all other officers and employees connected with the Department of Lights and Sewers; he shall have supervision and control over the lighting system of the City of Greensboro, and the management and direction of the lighting of the streets, alleys and all other public places and grounds, and all other places where city lights are placed; he shall be charged with the duty of seeing that all persons, firms and corporations charged with the duty of supplying lights or water power, perform the obligations imposed upon them by law, ordinance or order of the Board of Commissioners; he shall have the direction of all employees of the city connected with and under his department; he shall perform all other services ordered by the Board of Commis-

sioners, or that may be ordered by the Board, not herein expressly conferred upon some other department.

Duty of each Commissioner to recommend to city purchasing agent, etc.

Sec. 11. It shall be the duty of each Commissioner to recommend to the City Purchasing Agent the purchase of goods, and the contracts of all bills necessary to be contracted for his department, and these recommendations shall be submitted to the Board of Commissioners for its orders with respect thereto.

Power to compel reports from all public service companies.

Sec. 12. The Board of Commissioners shall have the power to require all public service corporations, and all people doing a public service business in the City of Greensboro, to make such reports, and have a right to the inspection of such books and papers, as the North Carolina Corporation Commission has the right to require and inspect under the laws now enacted, or which may be enacted, with reference to public service corporations doing business in the City of Greensboro.

Board exercises legislative powers, functions, etc.

Make orders for improvements, etc. Levies all taxes. Audits and allows all bills.

No contracts valid unless approved or expressly authorized by Board.

All such contracts to be submitted to City Attorney.

All heads of departments, agents, and employees subject to review.

Reports to Board in writing, etc.

Sec. 13. The Board of Commissioners has and shall exercise all legislative powers, functions and duties conferred upon the city or its officers. It shall make all orders for the doing of work, or the making or construction of any improvements, bridges or buildings. It shall levy all taxes, apportion and appropriate all funds, audit and allow all bills and accounts, pay rolls and claims, and order payment thereof. It shall make all assessments for the cost of street improvements, sidewalks, sewers and other work, improvements or repairs which may be specially assessed. It shall make or authorize the making of all contracts, and no contracts shall bind or be obligatory upon the city unless either made by ordinance or resolution adopted by the Board of Commissioners, or reduced to writing and approved by said Board, or expressly authorized by ordinance or resolution adopted by the Board. All contracts and all ordinances, and resolutions making contracts or authorizing the making of contracts, shall be drawn by the City Attorney, or submitted to such officer before the same is made or passed. All heads of departments, agents and employees are the agents of the Board of Commissioners only, and all their acts shall be subject to review, and to approval or revocation by the Board of Commissioners. Every head of department, superintendent, agent, employee or officer, shall from time to time, as required by law or ordinance, or when requested by the Board of Commissioners, or whenever he

shall deem necessary for the good of the public service, report to the Board of Commissioners, in writing, respecting the business of his department, or office, or employment, all matters connected therewith. The Board of Commissioners may, by ordinance or resolution, assign to a head of a department, a superintendent, officer, agent, or employee, duties in respect to the business of any other department, office or employment, and such services shall be rendered without additional compensation. The Board of Commissioners shall elect and have authority over the City Clerk who shall be the clerk of the Board of Commissioners.

May assign to head of a department a supt., agent, officer, employee duties in other department.  
Authority over City Clerk.

Sec. 14. All officers and employees of each department shall be under the control and supervision of the Commissioner of that department, subject to the ultimate control of the Board. That for any reason, satisfactory to himself, a Commissioner of any department is hereby empowered to suspend, remove, or discharge any subordinate officer or employee in his department; provided, that any officer or employee elected by the Board of Commissioners shall have the right, at any time within three days from the time of such ruling, to appeal from the same to the Board of Commissioners, who shall hear the same at their first regular meeting after such appeal is taken, and may affirm or reverse such Commissioner. If the ruling of the Commissioner be reversed, said officer or employee shall at once be reinstated in his office or employment, provided further, the party so suspended, removed or discharged shall have no claim against the city for the time lost by reason of such ruling of the Commissioner.

All employees, officers, etc., in each department subject to Commissioner of that department, subject to ultimate control of Board.  
Power to suspend or discharge.  
Appeal to Board.

No claim against city.

Sec. 15. The Board of Commissioners shall cause to be audited the books and accounts of all departments, and of all officers and employees who do, or may, receive or disburse money.

Books to be audited.

Sec. 16. The Board of Commissioners shall have charge of all matters pertaining to the public health, and shall perform all duties belonging thereto.

Have charge of all matters pertaining to public health.

[Sec. 16(a). That each member of the Board of Commissioners shall devote his time and attention to the performance of the public duties to the exclusion of all other occupation, professions or callings.\*]

Commissioner to devote whole time to work.

Limitation or  
power to con-  
tract debt.

Election on  
debt.

[Sec. 16(b). That the Board of Commissioners for the City of Greensboro shall not have power to create or contract any indebtedness for necessary purposes in any amounts which cannot be paid off and discharged out of the current revenues to accrue during the term of office of said board, unless such authority is authorized by a majority of those voting at an election to be held, submitting such question to the voters of the City of Greensboro, which said election is to be held in the manner provided by said act ratified the seventeenth day of January, one thousand nine hundred and eleven, referring to the voters the question of repeal or an ordinance. At such election those favoring the contracting of such debt may vote "for contracting debt," and those opposing such may vote "against contracting debt."

The question of contracting debt may be submitted by the Board of Commissioners to the qualified voters of the City of Greensboro at a special or a general election, and at such election a box shall be provided in which only the votes for and against the contraction of such debt shall be placed.

Election to  
be held un-  
der rules pre-  
scribed by  
Commission-  
ers.

Notice of  
election.

Certificate of  
election off-  
cers.

Effect of  
election.

The election shall be held under rules and regulations to be prescribed by the Board of Commissioners, except such regulations shall not be in conflict with this act, and the purposes for which said debt is to be contracted shall be declared and made a matter of record by the Board of Commissioners. Such election and the purposes for which such debt is desired to be contracted shall be advertised by the Board of Commissioners in some daily newspaper published in the City of Greensboro for at least ten days immediately prior to the holding of such election, and the officers to hold such election shall be appointed, and shall act as is provided for other city elections; and the result of the election shall be certified by the election officers to the Board of Commissioners as is provided for the certification of the result of other elections, and such result shall be entered upon the records of the Board of Commissioners; and if a majority of those voting favor the contracting of such debt, the said Board of Commissioners is hereby authorized to contract the same to the amount authorized, or any part thereof.\*]



## CHAPTER III.

## HEALTH AND SANITATION

Sec. 17. The Board of Commissioners are hereby given, within the city limits, all the power and authority that is now, or may hereafter be, given by law to the County Superintendent of Health or County Physician, and such further powers and authority as will best preserve the health of the citizens. The Board of Commissioners is hereby given power to make such rules and regulations, not inconsistent with the Constitution and laws of the state, for the preservation of the health of the inhabitants of the city, as to them may seem right and proper. Said Board of Commissioners may establish and maintain a hospital, or hospitals, or pest houses, slaughter houses, rendering plants, incinereries, and crematories in the City of Greensboro, or within three miles thereof; may stop, detain, examine or keep, in a pest house or houses of detention, persons having, or suspected of having, any infectious, contagious or other communicable disease; may quarantine the city or any part thereof; may cause all persons in the city limits to be vaccinated; may, without incurring liabilities to the owner, remove, fumigate or destroy furniture, bedding, clothing or other property, which may be found to be tainted or infected with any contagious or infectious disease, and may do all other proper and reasonable things to prevent or stamp out any contagious or infectious disease, and to better preserve the health of the citizens; and all expenses incurred by the city in disinfecting or caring for any person or persons, by authority of this section, may be recovered by it from the person, persons or property cared for, and when expense is incurred in caring for property same shall become a lien on said property. That any person who shall attempt by force, or by threat of violence, to prevent his removal, or that of any other person, to the pest house, house of detention or hospital, or who shall in any way interfere with any officer while performing any of the duties allowed by this chapter, shall be guilty of a misdemeanor.

Board given same power in city limits as County Superintendent of Health, and such further powers, etc.

May make rules for preservation of health, etc.

May establish and maintain hospitals, pest houses, slaughter houses, rendering plants, incinereries, crematories in city or three miles thereof.

May detain persons suspected of having infectious disease.

May cause all persons to be vaccinated.

May destroy property tainted or infected, etc. Expense, etc.

Misdemeanor to attempt to prevent removal or detention or interfere with Health Officer.

Said Board of Commissioners may elect a Health Officer and create such other offices and employments as to them may seem right and proper, and fill the same and fix their compensation.

May elect Health Officers and other officers, etc.

May make rules for management and conduct of hospitals, sanatoriums, etc. •

Sec. 18. Said Board are hereby empowered to make rules and regulations for the management and conduct of all hospitals and sanatoriums who may have for treatment any patient afflicted with any infectious, contagious, or other communicable disease, and prescribe penalties for any violation of same.

Violation of rules of Board a misdemeanor.

Any person violating any rule or regulation of said Board of Commissioners shall be guilty of a misdemeanor, and upon conviction, except as herein otherwise provided, shall be fined not more than fifty dollars, or imprisoned not more than thirty days.

## CHAPTER IV.

### PUBLIC SCHOOLS

Duty to maintain adequate public school system.

Sec. 19. The Board of Commissioners shall be charged with the duty of maintaining an adequate and sufficient system of public schools in the City of Greensboro, and shall construct and maintain proper buildings, and to that end the public school buildings and all other property now used, or which may be hereafter acquired within the City of Greensboro for school purposes, shall be under their control and subject to the disposition of the said Board of Commissioners; and the said Board shall have the same power and authority to condemn lands, and to do and perform any and all other acts, to acquire and control school property, as is given or may be conferred by law upon said Board with reference to acquiring land for streets, or any other public purposes, and may control school property and grounds in like manner as they are empowered to control streets; and the said Board of Commissioners shall also have such power with regard to the public schools of Greensboro, as is now conferred by law upon the Board of County Commissioners of Guilford County, and the Board of Education of Guilford County, with regard to the public schools of the county; and the said Board of Commissioners of Greensboro shall have charge of the collection of taxes to maintain the schools, and construct school buildings, and the handling and disbursement of all moneys used for school purposes; and it shall be the duty of the said Board of Commissioners of the City of Greensboro to appropriate from the funds of the city, in addition to the special school funds,

School property under control of Board.

May condemn land for school purposes.

Same power over city schools as County Commissioners and Board of Education of county over county schools.

Collection and disbursement of funds.

Duty to appropriate funds for.

such amounts as may be necessary to discharge their duty of maintaining an adequate and sufficient system of public schools.

Sec. 20. The Board of Commissioners is charged with the duty of electing, biennially, a competent, skilled and expert man as Superintendent of the public schools of Greensboro, and also such other teachers and employees for the conduct of such schools as may be necessary for such time as they may indicate; provided, all teachers and other employees in said school shall be elected from a list submitted to the Board by the Superintendent, and if the Board is unable or refuses to elect from the list so furnished, it shall call on the Superintendent from time to time for other lists, which it shall be his duty to furnish.

Duty to elect biennially Superintendent of Schools.

Elect other teachers and employees.

Elected from list furnished by Superintendent.

Sec. 21. It shall be the duty of the Superintendent, in making his recommendations, and the Board, in electing persons to serve the public school interests, to consider ability, education, character, and efficiency, for the performance of the duties for which such person or person's names are being considered, and allow these qualities to control in making such selection.

Duty of Superintendent to recommend efficient persons.

Sec. 22. Only persons who are bona fide residents of the city shall be entitled as pupils to the benefits of the public schools thereof; provided, however, if there be facilities, after providing for the education of all residents, non-residents of the city may be admitted by the Board of Commissioners to the public schools of Greensboro upon the payment of such charges as the Board may determine, by order spread upon its minutes, is just.

Only bona fide residents entitled to benefits of public schools, others to pay.

Sec. 23. It shall be the duty of the Superintendent of Schools of Greensboro to devote his time and attention exclusively to them during the school year, except when leave of absence is granted by the Board of Commissioners for short periods for good cause.

Superintendent to devote entire time to the work. Leave of absence, etc.

He shall have immediate and direct control over all teachers, and janitors of the school buildings, and other persons in charge thereof, and shall be responsible for their efficiency, and he shall have power to discharge any teacher, or other employee connected with the schools, for any cause satisfactory to himself, and to maintain discipline and order, and

Immediate control.

Power to discharge. Establish rules for government of school.

No appeal.

Must report in writing within 24 hours after employee discharged, stating reasons.

Subject to removal by Board.

Must levy tax for school purposes, of 30 cents on the hundred dollars, and ninety cents on poll.

May cover excess fund into general funds.

establish rules and regulations for the government of the schools, and from his authority, with respect to these matters, there shall be no appeal. He shall, however, report to the Board of Commissioners, within twenty-four hours after any employee is discharged, the fact of such discharge; and if the Superintendent is requested, in writing, by any member of the Board of Commissioners to state his reasons for discharging any employee, he shall within forty-eight hours after such request is made make to the Board of Commissioners, in writing, a full report of his action, and of all reasons in influencing him to discharge such employee.

The Superintendent of Public Schools of Greensboro shall be subject to be removed from his office by the Board of Commissioners for inefficiency, or other cause satisfactory to said Board, and from that action by the Board there shall be no appeal or review.

Sec. 24. That the Board of Commissioners shall annually, at the time other taxes are levied, levy a tax for school purposes of thirty cents on the hundred dollars of property assessed for taxation in Greensboro, and ninety cents on each taxable poll, which amount shall be collected as other taxes, and deposited with the City Treasurer as other city funds, and the same shall be kept exclusively for school purposes, and a separate account thereof shall be kept by the tax collector and the City Treasurer. Provided, that if the tax levied and collected for school purposes should, in the opinion of the Superintendent and Board of Commissioners, prove to be more than is sufficient to provide for adequate system of public schools, and more than is necessary to accumulate a sufficient fund to meet the demands for public school buildings, then and in that event the said Board may cover any excess of such fund into the general funds of the City of Greensboro.

## CHAPTER V.

### PUBLIC LIBRARIES

Public Libraries.

Sec. 25. The public libraries of the City of Greensboro shall be conducted as at present, as provided by the State Library Law, ratified on the 9th day of March, 1897, and the Commissioners of the City of Greensboro shall appoint the Board of Managers in the manner and for the term provided by said State Library Law.\*



## CHAPTER VI.

## POWERS SPECIFICALLY ENUMERATED

Sec. 26. The Board of Commissioners of the City of Greensboro shall, in addition to the other powers herein given them, have full power by ordinance,—

(a) To declare forfeited and terminate franchises granted persons or corporations for street railway, electric light, telephone, telegraph, gas, power, or other public service purposes, whenever the conditions upon which such franchise or franchises were granted have been broken, or whenever, for any other reason, such franchise or franchises have been lost, surrendered or forfeited.

Additional power enumerated.

To terminate and declare forfeited franchises.

(b) To assess, levy and collect taxes.

To assess and collect taxes.  
To license trades, etc.

(c) To license, tax and regulate trades, occupations and professions.

(d) To open new streets, change, widen, extend and close any street that is now or may hereafter be opened, and adopt such ordinances for the regulation and use of the streets, squares and parks and other public property belonging to the city as it may deem best for the public welfare of the citizens of said city.

Open, widen, change, or close streets and regulate parks and streets.

(e) To lay out, establish and regulate parks within or without corporate limits of the city for the use of the inhabitants of the same.

Establish parks.

(f) To condemn any land that may be required for the purpose of erecting any building or buildings, for city hall, market houses, fire companies, graded and public schools and for any other public buildings whether like those enumerated above or not; provided, that the procedure in such condemnation proceedings shall be the same as is herein provided for the condemnation of lands for streets.

Condemn land.

(g) To erect, repair and alter all public buildings.

Repair, erect, or alter public buildings.

(h) To accept any money or property for the purpose of any public or corporate use.

Accept money or property for public use.

(i) To regulate, restrain and prohibit the running or going at large of horses, mules, cattle, sheep, swine, goats, chickens, and all other animals and fowl of whatsoever description, and to authorize the distraining and impounding and sale of the same for the costs of the proceedings and the

Regulate, restrain, and prohibit cattle, animals, and chickens, etc., from running at large or prevent driving of same through streets. Regulate plumbing.

Regulate, control or prohibit storage of gun powder or explosives, etc.

License, tax, control, prohibit use of fire crackers, etc., and amusements, etc.

Direct control, prohibit laying of railroad switches in streets.

Repair crossings, etc.

Regulate speed of trains.

Regulate street cars, speed, fares, etc.

penalty incurred, and to order their destruction when they cannot be sold, and to impose penalties on the owners or keepers thereof for the violation of any ordinance or regulation of said Board, and to prevent, regulate and control the driving of cattle, horses and all other animals into or through the streets of the city.

(j) To regulate and control plumbers and plumbing work and to enforce efficiency in the same.

(k) To regulate, control, and prohibit the keeping and management of houses or any building for the storage of gun powder and other combustible, explosive or dangerous materials within the city, and to regulate the keeping and conveying of the same, and to authorize and regulate the laying of pipes and the location and construction of houses, tanks, reservoirs, and pumping stations for the storage of oil and gas.

(l) To license, tax, regulate, control, restrict and prohibit the use and explosion of dynamite, fire crackers or other explosives or fire works of any and every kind, whether included in the above enumeration or not, and the sale of same, and all noises, amusements, or other practices or performances tending to annoy persons or frighten persons or teams, and the collection of persons on the streets or sidewalks or other public places in the city, whether for purposes of amusement, business, curiosity or otherwise.

(m) To direct, control and prohibit the laying of railroad tracks, turnouts and switches in the streets, avenues and alleys of the city unless the same shall have been authorized by ordinance, and to require that all railroads, turnouts and switches shall be so constructed as not to interfere with the drainage of the city and with the ordinary travel and use of the streets, avenues and alleys in said city, and to construct and keep in repair suitable crossings at the intersection of streets, avenues, and alleys and ditches, sewer and culverts, where the Board of Commissioners shall deem it necessary, and to direct the use and regulate the speed of locomotive engines, trains and cars within said city.

(n) To make all suitable and proper regulations in regard to the use of the streets for street cars, and to regulate the speed, running and operation of the same so as to prevent injury or inconvenience to the public and from time to time prescribe reasonable fares and transfers for the carriage of passengers.

(o) To make such rules and regulations in relation to butchers as they may deem necessary and proper, to establish and erect market houses, and designate, control and regulate market places and privileges.

(p) To prohibit and punish the abuse of animals.

(q) To establish and maintain cemeteries and to regulate the burial of the dead and the registration of deaths, marriages and births.

(r) To prohibit prize fighting, cock and dog fighting.

(s) To license, tax, regulate, restrict and prohibit theaters, carnivals, circuses, shows, parades, exhibitions of showmen and shows of any kind and the exhibition of natural or artificial curiosities, caravans, menageries, musical and hygienic exhibitions and performances.

(t) To create and administer a special fund for the relief of indigent and helpless members of the police and fire departments who have become superannuated, disabled or injured in such service, and receive donations and bequests in aid of such fund and provide for its permanence, and increase and to prescribe and regulate the conditions under which, and the extent to which, the same shall be used for the purpose of such relief.

(u) To pass ordinances for the condemnation of property for the purpose of widening, altering, changing or extending any of the streets of the city and for opening new streets and for the construction and maintenance of drains, sewers and combination drains and sewers and for any other public purpose provided for in this Act.

(v) To define nuisances and prevent and abate the same whether on public or private property.

(w) To issue bonds of the city only after they shall have passed an ordinance by a majority\* vote of the entire Board at two separate regular meetings submitting the question of issuing the same to a vote of the people, and after a majority of the qualified registered voters shall have voted in favor thereof. No election for this purpose shall be held until thirty days notice thereof shall have been given by the Board of Commissioners in some newspaper published in the City of Greensboro. At such election those who favor creating such debt shall vote "Approved" and those who oppose it shall vote "Not Approved." The Board of Commissioners,

Regulate butchers. Establish market. Control same.

Prohibit abuse of animals.

Establish cemeteries, registration, etc.

Prohibit prize fighting, etc.

Tax, regulate, and prohibit theatres, shows, etc.

To create, etc., special fund for indigent and helpless firemen and police.

Condemn land for widening, altering, changing, or extending streets, etc. drains, and sewers.

Define nuisances and abate same.

To issue bonds after elections, as to, etc.

if they deem it proper so to do, may order a new registration of the voters of said city at any and all such elections.

(x) That upon any reasonable complaint from a responsible party that the rates charged by any public service corporation are unreasonable, the Board of Commissioners shall carefully investigate the rates complained of, and endeavor to obtain a just and equitable arrangement with the said corporation. If no such satisfactory arrangement can be obtained by negotiation the said Board shall enter upon its record an order directing the corporation to charge not exceeding such maximum rates as the Board may deem proper. The Board shall send a copy of such order to the said corporation and shall immediately transmit to the Corporation Commission of the State of North Carolina a complete certified copy of the record in the entire matter. As soon as practicable after the receipt the Corporation Commission of the State of North Carolina shall, and it is hereby fully authorized and empowered so to do, set a day for the hearing of said matter, giving both parties reasonable notice thereof and a full opportunity to be heard. After a full hearing the Corporation Commission shall decide the question involved, either wholly or partially in favor of either party as may seem just and equitable, which decision shall become binding unless reversed on appeal. Either party shall have the right to appeal to the courts. The order of the Board of Commissioners shall not become effective until approved by the Corporation Commission as aforesaid.

To fix rates  
public service  
companies.

May appropriate funds  
for advertising  
city.

Locate hospitals.

Regulate or  
prohibit any  
business dangerous  
to health.  
Make regulations  
to promote  
health, comfort,  
etc., and general  
welfare of citizens.

(y) To appropriate annually, in the discretion of the Board, not exceeding twenty-five hundred dollars to any association in the city organized for the purpose of advertising or promoting the public interests and general welfare of the city.

(z) To fix the location of hospitals in which contagious, infectious or other communicable diseases are to be treated.

(aa) To regulate and prohibit the carrying on of any business which may be dangerous or detrimental to health.

(bb) To make and provide for the execution thereof of such ordinances, rules and regulations, as may be necessary for the preservation and promotion of the health, comfort, convenience, good order, better government, and general welfare of the inhabitants of the city as are not inconsistent with this Act and the Constitution and laws of the state.

(cc) To elect all officers and select all employees of the

various departments, whose selection is not herein expressly provided for; provided, however, that the selection of such officers and employees as are not expressly provided for herein may be delegated by the Board of Commissioners to the Commissioners of the respective departments, subject to the right of the Board to review the action of the respective Commissioners; provided, further, the compensation of all employees shall be fixed by the Board of Commissioners and all fees shall be covered into the treasury.

Elect all officers and employees, etc., not otherwise provided for.

Selection may be delegated to department, subject to review.

Compensation fixed by Board. All fees to Treasurer. To condemn and remove buildings at expense of property owner. Suppress all nuisances.

(dd) To condemn and remove any and all buildings in the city limits, or cause them to be removed, at the expense of the owner or owners, when dangerous to life, health, or other property, under such just rules and regulations as they may by ordinance establish, and likewise to suppress any and all other nuisances maintained in the city.

Sec. 27. That all ordinances, rules and regulations of the City of Greensboro now enforced, or that may hereafter be enacted by the Board of Commissioners in the exercise of the police powers given to it for sanitary purposes, or for the protection of the property of the city, unless otherwise provided by the Board of Commissioners shall, in addition to applying to the territory within the city limits, apply with equal force to the territory outside of said city limits, within one mile in all directions of same, and to Lindley Park, and to the right of way of all water, sewer and electric light lines in the city, without the corporate limits, and to the rights of way, without the city limits, of any street railway company, or extension thereof, operating under a franchise granted by the city\* and upon all property and rights of way of the city outside the said corporate limits and the above mentioned territorial limits wheresoever the same may be located.

All ordinances, etc., as to sanitary matters and protection city property, apply to mile beyond limits and along water, sewer, and electric light lines, and rights of way of street cars.

## CHAPTER VII.

### GRANTING OF FRANCHISES

Sec. 28. That no franchise shall be granted by the City of Greensboro until the question has been submitted, at a special or general election to the qualified voters of the city, and until a majority of those voting upon the proposition have voted in favor of granting such franchise. Provided, that in

No franchise to be granted without election. Requires majority of those voting.

\* Fair grounds stricken out by Amendment Private Laws N. C., 1911, page 688

Provisions  
and condi-  
tions.

Compel com-  
pliance by  
forfeiture.

City shall not  
part with  
power of  
control, etc.

Provision for  
fixing rates.

Not to affect  
franchises  
heretofore  
granted.

Subject to  
tax in addi-  
tion to other  
assets and  
license tax.

all elections upon the granting of franchises the person, persons, or corporation applying for same shall deposit with the City Treasurer a sum which, in the opinion of the Board of Commissioners, will be sufficient to defray the expenses of such election; provided, further, that no franchise shall be granted for a longer time than fifty years from the date of the granting of such franchise. Every grant of any franchise or right, as herein before provided, shall make provision by way of the forfeiture of the grant or otherwise, for the purpose of compelling compliance with the terms of the grant and to secure efficiency of public service at reasonable rates, and the maintenance of the property in good condition throughout the full term of the grant, and when the grant of any franchise or right is made, the city shall not part with the power to expressly reserve the right and duty at all times to exercise, in the interest of the public, full superintendence, regulation and control, in respect to all matters connected with the police powers of said city; and before any such grant of any such franchise or right shall be made, the proposed specific grant shall be embodied in the form of an ordinance, with all the terms and conditions that may be right and proper, including a provision for fixing a rate, fares and charges to be made if the grant provide for the charging of a rate, fares and charges; provided, that this act shall not affect any rights, privileges and franchises heretofore legally granted by the city to any person, firm or corporation; and provided, further, that any and all rights, privileges and franchises, that have been heretofore, or that may be hereafter, granted to or held by any person, firm or corporation, in the streets, alleys, sidewalks, public grounds or places in said city, shall be subject to a tax by said city in such amount as the Board of Commissioners may think to be just, separate from and in addition to the other assets of such person, firm or corporation, and in addition to a license tax, and the Board of Commissioners may require the rendition and assessment thereof accordingly.

## CHAPTER VIII.

### THE INITIATIVE AND REFERENDUM

Petition  
signed by  
electors.

Sec. 29. Any proposed ordinance may be submitted to the Board of Commissioners by petition signed by electors of the



city equal to the number provided herein for recall of any official. The signatures, verifications, authentications, inspections, certification, amendments, and submission of such petition shall be the same as provided for petition for the removal of officials. If the petition accompanying the proposed ordinance be signed by the requisite number of electors, and contains a request that the said ordinance be passed or submitted to a vote of the people, if not passed by the Board of Commissioners, such Board shall either,

Signed by  
requisite  
number  
electors.

(a) Pass such ordinance without alteration within twenty days after attachment of the clerk's certificate to the accompanying petition, or

Passage by  
Commission-  
ers.

(b) After the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency, the Board of Commissioners shall forthwith submit the question to the qualified voters at a special election called for that purpose, or to a general election occurring within ninety days after the date of the clerk's certificate. If the petition is signed by not less than ten, and less than twenty-five per cent. of the electors, as above defined, then the Board of Commissioners shall, within twenty days, pass said ordinance without change, or submit the same at the next general city election.

Submission  
at special  
election.

At general  
election.

The ballots used when voting upon said ordinance shall contain these words: "For the ordinance" (stating the nature of the proposed ordinance), and "against the ordinance" (stating the nature of the proposed ordinance). If the majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city; and any ordinance proposed by petition, or which shall be adopted by a vote of the people, cannot be repealed or amended except by a vote of the people.

Ballots.

Any number of proposed ordinances may be voted upon at the same election, in accordance with the provisions of this section; but there shall not be more than one special election in any period of six months for such purpose.

The Board of Commissioners may submit a proposition for the repeal of any such ordinance, or for amendments thereto, to be voted upon at any succeeding general city election; and should any such proposition so submitted receive a majority of the votes cast thereon at such election, such ordinance shall thereby be repealed or amended accordingly. Whenever any ordinance or proposition is required by this act to be sub-

Election for  
repeal of or-  
dinance.

mitted to the voters of the city at any election, the city shall cause such ordinance or proposition to be published once in each of the city daily newspapers published in said city; such publications to be not more than twenty nor less than five days before the submission of such proposition or ordinance to be voted on.

Ordinances  
20 days after  
final passage,  
and publica-  
tion, except.

No ordinance passed by the Board of Commissioners, unless otherwise expressly provided, except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency, and is passed by a two-thirds vote of the Board of Commissioners, shall go into effect before twenty days from the time of its final passage and publication in the daily papers then published in Greensboro; and if during said twenty days a petition, signed by electors of the said city equal to the number prescribed herein to be signed to a petition for the recall of any official, protesting against the passage of such ordinance, be presented to the Board of Commissioners, the operation of such ordinance shall thereupon be suspended, and it shall be the duty of the Board of Commissioners to consider such ordinance, and if the same is not entirely repealed, the Board of Commissioners shall submit to the qualified voters the question of the repeal of such ordinance at an election to be held for that purpose, in the manner and under the conditions herein provided for reference to voters of the question of recall of an official.

## CHAPTER IX.

### NOMINATION OF CANDIDATES

Officers to be  
nominated by  
primary  
election.

Time of hold-  
ing primary.

Election  
officers.

Sec. 30. All candidates to be voted for at all general municipal elections, at which time a Mayor, Commissioners, Judge of the Municipal Court, or any other elective officer, are to be elected, under the provisions of this act, shall be nominated by a primary election, and no other names shall be placed upon the general ballot except those nominated in such primary in the manner hereinafter prescribed. The primary election for such nominations shall be held on the second Monday preceding all general municipal elections. The judges and other officers of election appointed for the general municipal election shall, whenever practical, be the judges of the primary election, and it shall be held at the same place and in

the same manner and under the same rules and regulations and subject to the same conditions, and the polls to be opened and closed at the same hours, as are required for said general election.

Rules and regulations.

Any person desiring to become a candidate for nomination by the primary for the office of Mayor or Commissioner of either of the other two departments, or Judge of the Municipal Court, or any other elective office, shall, at least ten days prior to said primary election, file with the said clerk a statement of such candidacy, in substantially the following form:

Notice of candidacy to be filed.

State of North Carolina—County of Guilford.

Form of notice.

I (.....), being first duly sworn, say that I reside at ..... street, City of Greensboro, County of Guilford, State of North Carolina; that I am a candidate for nomination to the office of (Mayor, or Commissioner of a particular department, or other office) to be voted upon at the primary election to be held on the ..... Monday of ..... 19...., and I hereby request that my name be printed upon the official ballot for nomination by such primary election for such office.

Signed .....

Subscribed and sworn to (or affirmed) before me by ..... on this ..... day of ....., 19....

Signed .....

And shall at the same time pay to said clerk, to be turned over to the City Treasurer, the sum of five (\$5.00) dollars.

Payment of fee to city.

Immediately upon the expiration of the time for filing the petitions of candidates, the said City Clerk shall cause to be published for three successive days in all the daily newspapers published in the city, in proper form, the names of the persons as they are to appear upon the primary ballots; and the said clerk shall thereupon cause the primary ballots to be printed, authenticated with a facsimile of his signature. Upon the said ballot the names of the candidates for Mayor, arranged alphabetically, shall first be placed, with a square at the left of each name, and immediately below the words, "Vote for one." Following these names, likewise arranged in alphabetical order, shall appear the names of the candidates for the Commissioners of the two other departments respectively, with a square at the left of each name, and below the names of such

Publication of candidacy.

Printing and authentication of ballots.

Contents of ballots.

candidates for each of said departments shall appear the words, "Vote for one." Like provision shall be made for the names of candidates for each other elective office provided by law.

The ballots shall be printed upon plain, substantial, white paper, and shall be headed:

Heading of  
ballots.

"Candidates for nomination for Mayor and Commissioners of two other departments, and other offices (naming them), of City of Greensboro, North Carolina, at the primary election," but shall have no party designation or mark whatever. The ballots shall be in substantially the following form:

"(Place a cross in the square preceding the names of the parties you favor as candidates for the respective positions.)

"Official primary ballot, candidates for nomination for Mayor and Commissioners, and other offices (naming them), of City of Greensboro, North Carolina, at the primary election.

"For Mayor (names of candidates), (vote for one).

"For Commissioner of the Department of Public Safety (names of candidates), (vote for one):

"For Commissioner of the Department of Public Works (names of candidates), (vote for one).

"For Judge of Municipal Court (names of candidates), (vote for one).

"Official ballot attest: (Signature) .....  
City Clerk."

Delivery of  
ballots at  
polling places.

Persons qual-  
ified to vote.

Challenge.

Count and  
return of  
votes.

Having caused said ballot to be printed, the said City Clerk shall cause to be delivered at each polling place a number of said ballots equal to twice the number of votes cast in such polling precinct at the last general municipal election for Mayor. The persons who are qualified to vote at the succeeding general municipal election shall be qualified to vote at such primary election, and shall be subject to challenge made by any resident of the City of Greensboro under such rules as may be prescribed by the Board of Commissioners, and such challenge shall be passed upon by the judges of election and registrars; provided, however, that the law applicable to challenges at a general municipal election shall be applicable to challenges made at such primary election. Judges of election shall, immediately upon the closing of the polls, count the ballots, and ascertain the number of votes cast in such precincts for each of the candidates, and make return thereof to

the City Clerk, upon blanks to be furnished by the said clerk, within six hours of the closing of the polls. On the day following the said primary election the City Clerk, under the supervision and direction of the Mayor, shall canvass such returns so received from all the polling precincts, and shall make and publish in all daily newspapers of said city at least once, the result thereof. Said canvass by the City Clerk shall be publicly made. The two candidates receiving the highest number of votes for Mayor, and the two candidates receiving the highest number of votes for Commissioners for each of the respective departments, the two candidates receiving the highest number of votes for a Judge of the Municipal Court, and the two candidates receiving the highest number of votes for any other elective office, shall be the candidates, and the only candidates, whose names shall be placed upon the ballot for Mayor, Commissioners, Judge of the Municipal Court, and other elective officers, at the next succeeding general municipal election.

Candidates at  
general mu-  
nicipal elec-  
tion.

## CHAPTER X.

### ELECTIONS

Sec. 31. There shall, on the first Tuesday after the first Monday in May, one thousand nine hundred and eleven, and every two years thereafter, be elected a Mayor (who shall also be Commissioner of Public Accounts and Finances), a Commissioner of the Department of Public Works, a Commissioner of the Department of Public Safety, who together, shall constitute the Board of Commissioners of the City of Greensboro, and there shall also, at the same time, be elected a Judge of the Municipal Court, and such other elective officers as may be provided by law.

City election.

Officers to be  
elected.

Sec. 32. The City Clerk shall cause ballots to be printed for the municipal election as herein provided, authenticated with a facsimile of his signature. Upon the said ballots the names of the said candidates for Mayor, arranged alphabetically, shall first be placed, with a square at the left of each name, and immediately below the words, "Vote for one." Following these names, likewise arranged in alphabetical order, shall appear the names of the candidates for the Commissioners of the two other departments respectively, with a square

Printing and  
authentication  
of ballots.

Arrangement  
of names  
on ballots.

at the left of each name, and below the names of such candidates for each of said departments shall appear the words, "Vote for one," and likewise arranged in alphabetical order, shall appear the names of the candidates for Judge of the Municipal Court, with a square at the left of each name, and immediately below the words, "Vote for one," and likewise arranged in alphabetical order shall appear the names of the candidates for such other elective offices as may be provided by law.

The ballots shall be printed upon plain, substantial, white paper, and shall be headed:

Heading of  
ballots.

"Candidates for election for Mayor, and Commissioners of the two departments, and for Judge of the Municipal Court, of the City of Greensboro, North Carolina, at the general municipal election," but shall have no party designation or mark whatever. The ballots shall be in substantially the following form:

Form of  
ballots.

"(Place a cross in the square preceding the names of the parties you favor as candidates for the respective positions.)

"Official municipal ballot, candidates for Mayor, and Commissioners, and Judge of the Municipal Court, of the City of Greensboro, North Carolina, at the municipal election.

"For Mayor (names of candidates), (vote for one).

"For Commissioner of the Department of Public Safety (names of candidates), (vote for one).

"For Commissioner of the Department of Public Works (names of candidates), (vote for one).

"For Judge of Municipal Court (names of candidates), (vote for one).

"Official ballot attest: (Signature) .....  
City Clerk."

Qualification  
of voters.

Sec. 33. That all persons entitled to vote for members of the General Assembly, if held at the time of the election provided for in the preceding section, and who have been residents of the city and precinct in which they offer to vote for four months next preceding the day of election, and shall have registered as provided herein, shall be allowed to vote for Mayor, two Commissioners, Judge of Municipal Court, and other elective offices, and no one except a resident of the city shall be eligible to any office in the corporation.

Eligibility  
for office.

Sec. 34. That the provisions made, or hereafter made,

by the General Assembly, which may be in force at the time of any city election, for testing the qualification and right of any person to vote, shall apply, as far as possible, to any election held under this charter, and the registrar and judges of election are hereby invested with full and ample judicial power to pass upon and decide said qualifications.

General laws applicable to qualification.

Sec. 35. That the Board of Commissioners shall divide the city into two precincts, which number may be increased at any time the Board may in its discretion deem necessary for the convenience of the voters of the city; and the said Board shall fix the boundaries of the said precincts, and provide in each precinct a polling place as nearly centrally located in the precinct as possible. If any registered voter shall remove from one precinct to another within the four months next preceding any election, he shall be entitled to vote in the said election in the precinct from which he shall have moved.

Two precincts.

Polling places.

Voters removing from precinct.

Sec. 36. That the Board of Commissioners shall on the first Monday in March, one thousand nine hundred and thirteen, and every two years thereafter, appoint a registrar and two judges of election for each precinct in the city, all of whom shall be qualified voters, and said Board shall cause publication thereof to be made at the court house door, and notice to be served upon such appointees by the Chief of Police, and shall give ten days' notice of a registration of voters for the said election at the court house door, specifying the time, place and name of registrars for said election.

Appointment of election officers.

Publication and notice of appointment.

Notice of registration.

Sec. 37. That each registrar shall be furnished by said Board of Commissioners with registration books, and it shall be his duty, after being qualified, to perform the functions of his office fairly, impartially and according to law, to revise the existing registration books of the precinct for which he is appointed in such manner that said books shall show an accurate list of electors previously registered in such precinct and still residing therein, and entitled to vote without requiring such electors to be registered anew; and such registrar shall also, between the hours of seven o'clock a. m. and sunset (Sunday excepted), from and including the last Monday in March up to ten days previous to the election, keep open the books for the registration of any electors residing in such city and entitled to registration, whose names do not appear in the revised list, and he shall register in said books

Registration books.

Revision of registration.

Days of registration.

New registration.



Registration on Saturdays.	all names of persons not so registered who may apply for registration and who are entitled to vote in said city. Each registrar shall be required to be at the polling place for his precinct on Saturdays from 7:00 a. m. until sunset during the period for registration. He shall keep the names of white voters separate and apart from those of the colored voters, and any person offering to register may be required to take and subscribe an oath that he has resided in the State of North Carolina two years, in Guilford County six months, and in the precinct in which he offers to register four months previous to the day of election, and that he is twenty-one years of age, and that he is a qualified elector of said city. If any person wilfully swear falsely in taking such oath, he shall be deemed guilty of a misdemeanor, and on conviction shall be sentenced to pay a fine of one hundred dollars and imprisoned sixty days in the county jail. But the Board of Commissioners on fifteen days' notice, by publication in some newspaper of said city, before the opening of the books may order an entirely new registration of voters whenever they may deem it proper.
Distinction white and colored voters.	
Oath of electors.	
False swearing a misdemeanor.	
Punishment.	
New registration.	
Close of registration books.	The registration books shall be closed at sundown on the second Saturday before the election, and after the same are closed no person shall be allowed to register, except those coming of age after the books close and before or on election day, who are otherwise qualified electors of the city, and the books shall then be placed in the office of the City Clerk, and may be inspected by any person so desiring, and the Clerk shall mark the day on which they were received by him, and they shall not be taken from his custody until the day of election. Any registrar failing to deposit his registration book with the Clerk, at the time prescribed, shall receive no compensation for making said registration, and shall be guilty of a misdemeanor.
Deposit of registration books.	
Failure to deposit registration books.	
Election officers to be sworn.	Sec. 38. That after being duly sworn by the Mayor or a Justice of the Peace to conduct the election fairly, impartially and according to law, the registrars and the judges of election shall open the polls, receive and deposit the ballots in the boxes provided for that purpose, administer oaths, decide all challenges on the day of election and all questions of voting, superintend and conduct the election for municipal offices in like manner and during the same hours as elections for members of the General Assembly are conducted. The
Duties of election officers.	

polls shall be open on the day of election from 7:00 a. m. until sunset and no longer.

Hours of election.

Sec. 39. The registrars and judges of the election shall receive for their services such compensation as shall be fixed by the Board of Commissioners, but the pay of the registrars shall not exceed two (\$2.00) dollars each a day for the Saturdays they are required to be at the polls and the day of election and two cents additional for each new name registered, and the judges of election shall not be paid more than two (\$2.00) dollars each a day for their services; provided, the Board of Commissioners may allow the registrars and judges compensation, not exceeding one day's pay, as they may deem proper for attendance of the election officers upon the meeting of the Board of Canvassers.

Compensation of registrars and judges.

Proviso:

Compensation of canvassers.

Sec. 40. If any judge or registrar shall fail to be present on the day of election, his place shall be filled by the Mayor at once, and if at any time the registrar is temporarily unable to act as such, the Mayor may appoint a temporary registrar to act for him after being duly sworn, or if a vacancy should occur in said office, for any reason, then the Mayor shall appoint to fill the vacancy.

Vacancies filled by Mayor.

Sec. 41. That on the day following the day of election all of the registrars and pollholders of the several precincts shall meet at the City Hall, and when they shall so assemble they shall form a canvassing board for the said election. The said board shall organize by the election of one of its number as Chairman, and one as Secretary, and shall proceed to receive and tabulate the number of votes cast in each precinct for the several candidates, as shown by the reports of the registrars and judges, and such person as shall receive the highest number of votes for Mayor shall be declared elected Mayor, and such persons as shall receive the highest number of votes for each of the positions of Commissioner shall be declared elected Commissioner of the respective departments, and such person as shall receive the highest number of votes for Judge of the Municipal Court shall be declared elected Judge of the Municipal Court, and such person as shall receive the highest number of votes for any other elective office shall be declared elected to such office. The said canvassing board shall certify under their hands and seals the results of said election, giving the names of each candidate and the number of votes received

Canvassing Board.

Organization.

Receipt and tabulation of votes.

Persons declared to be elected.

Certificate of canvassing board.

Filing and  
publication  
of returns.

by him. Two copies of the returns of the canvassing board shall be made under the hands of the members of the said board, one of which shall be given to the Mayor, and the other filed in the archives of the City Clerk, who the same day shall publish the result of the election at the door of the City Hall.

New election  
in case of  
ties in mu-  
nicipal elec-  
tion.

Sec. 42. If of the persons voted for as Mayor, Commissioners of the respective departments, Judge of the Municipal Court, or any other elective office, there shall be an equal number of votes between any two candidates for like office in the municipal election in the City of Greensboro, in such case there shall be held on the following Tuesday an election, in accordance to the provisions herein provided for holding a municipal election for the City of Greensboro. If of the persons voted for as Mayor, Commissioners of any department, Judge of the Municipal Court, or any other elective officer, there shall be an equal number of votes for two candidates for the same office in the primary election for the nomination of candidates, in such case there shall be held, three days thereafter, a primary election for nomination of candidates, in accordance with the provisions for holding primaries for the nomination of candidates in the City of Greensboro, to break the tie.

New election  
in case of ties  
primary  
election.

Forfeit for  
failure to  
give notice  
of election.

Sec. 43. That if the Commissioners shall fail to give notice of election, to hold and declare the same in like manner herein prescribed, each of them as shall be in fault shall forfeit and pay for the equal benefit of the city, and of him who shall sue therefor, one hundred dollars.

Vacancies to  
be filled.

Sec. 44. That if any person elected Mayor, Commissioner, Judge of the Municipal Court, or any other elective officer, shall refuse to be qualified, or there is a vacancy in any office after election and qualification, or if the Mayor or any Commissioner, Judge of the Municipal Court, or any other elective officer, be unable to discharge the duties of his office, the Board of Commissioners shall choose some person for the unexpired term, or during his disability, as the case may be, to act as Mayor, Commissioner, Judge of the Municipal Court, or other elective officers, and he shall be clothed with all the authority and powers given under this charter to such regular officer; but such officer or officers so elected shall be subject to recall as other officers.

Sec. 45. The Board of Commissioners shall have power to

call at any time any special election for the purpose of voting upon the question of issuing bonds for any purpose, as herein provided, or for any other purpose provided for in this act. No special election shall be held for any purpose unless notice by thirty days' publication shall have been given of the same by advertisement in some newspaper published in said city, or unless expressly provided to the contrary. That all special elections shall be held under the same rules and conditions as are herein provided in this act for general elections.

Special elections.

Notice of same.

Rules, etc.

Sec. 46. Any registered voter of the said city may at any time, before the election or on the day of election, object to the name of any person appearing upon the registration book of his precinct, and the book shall be kept open at the polling place on the second Saturday before every election for inspection by the voters of the precinct. When a person is challenged the registrar shall enter upon his books, opposite the name of the person objected to, the word "challenged," and the person so challenged shall not be allowed to vote until the cause of challenge shall be heard and determined, under the rules and regulations prescribed by the general law regulating the election for members of the General Assembly. As soon as any person is challenged the registrar shall give notice in person or by mail of the same to the person so challenged. All challenges shall be heard and determined on the day of election by the registrar and judges.

Challenges.

Registration books open for inspection.

Entry of challenge.

Notice to persons challenged.

Hearing.

Sec. 47. That the Mayor, and Commissioners, Judge of the Municipal Court, and all other elective officers shall hold their offices respectively until the next ensuing election, and until their respective successors shall be elected and qualified.

Terms of office.

Sec. 48. That all duties herein imposed upon the Mayor and Board of Commissioners, with reference to primaries and elections, shall, prior to the election and qualification of Mayor and Commissioners in 1911, be performed by the Mayor and Board of Aldermen of the City of Greensboro as now constituted.

Duties performed by present officers.

Sec. 49. In the case of the removal of the Mayor, any Commissioner, Judge of the Municipal Court, or any elective officer, from the territorial limits of said city, such removal shall, *ipso facto*, create a vacancy in his office.

Removal to create vacancy.

## CHAPTER XI.

## TO PROHIBIT BRIBERY

Persons giving or receiving bribes.

Sec. 50. Any person giving or receiving, or any person promising to give or receive any money, property, or thing of value, to secure the vote or influence any person in any primary or general election; and any person promising to give or secure, or promising to use his influence to secure any place or position under the City Government of Greensboro, in consideration of any influence or effort or vote on behalf of any candidate or candidates for office under the City Government of Greensboro, shall be guilty of a misdemeanor and shall be fined or imprisoned in the discretion of the court; and any person, a candidate for office, who shall be guilty of the offence above prescribed shall upon conviction be ineligible to hold any office under the Government of the City of Greensboro.

Itemized statements of expenditures to be filed.

Sec. 51. Every candidate in the city election, a city primary, or both, shall within ten days from the election file with the City Clerk an itemized statement, under oath, showing all expenditures of money or other things of value made by him, or by anyone for him to his knowledge, in connection with, or in any way for the purpose of promoting or aiding his candidacy; and any person failing to comply with the provision of this section shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

Failure a misdemeanor. Punishment.

## CHAPTER XII.

## RECALL OF OFFICIALS BY THE PEOPLE

Elective officers subject to removal.

Petition for removal.

Sec. 52. The holder of any elective office, [except Judge of the Municipal Court]\*, may be removed at any time by the electors qualified to vote for a successor of such incumbent. The procedure to effect the removal of an incumbent of an elective office shall be as follows: A petition signed by electors entitled to vote for a successor to the incumbent sought to be removed, equal in number to at least twenty-five per centum of the entire vote for all candidates for the office of Mayor, cast at the last preceding general municipal election, demanding an election of a successor of the

\*Private Laws of North Carolina 1911, page 682.

person sought to be removed, shall be filed with the Clerk, which petition shall contain a general statement of the grounds for which the removal is sought. The signatures to the petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true as he believes, and that each signature to the paper appended is the genuine signature of the person whose name it purports to be. Within ten days from the date of filing such petition the City Clerk shall examine, and from the voter's register ascertain, whether or not said petition is signed by the requisite number of qualified electors, and he shall attach to said petition his certificate, showing the result of such examination. If by the Clerk's certificate the petition is shown to be insufficient, it may be amended within ten days from the date of said certificate. The Clerk shall, within ten days after such amendment, make like examination of the amended petition, and if his certificate shall show the same to be insufficient, it shall be returned to the person filing the same; without prejudice, however, to the filing of a new petition to the same effect, if the petition shall be deemed to be sufficient, the Clerk shall submit the same to the Board of Commissioners without delay. If the petition shall be found to be sufficient the Board of Commissioners shall order and fix a date for holding a primary, as provided for in cases preceding regular elections, the said primary to be held not less than ten days or more than twenty days from the date of the Clerk's certificate to the Board of Commissioners that a sufficient petition is filed. If in the primary election any candidate receives a majority of all the votes cast he shall be declared to be elected to fill out the remainder of the term of the officer who is sought to be recalled. If there be more than two candidates in such primary and no one receives a majority of all the votes cast therein, then there shall be an election held within twenty days from the date of the primary, at which election the two candidates receiving the highest vote in the primary shall be voted for. Candidates named shall be placed on the ticket in the primary and election held, and the results canvassed, under the same rules, conditions, and regulations as are prescribed for the primaries preceding regular election. The Board of Commissioners shall make, or cause to be made, publication for ten days of notice

Statement of grounds.

Petition to be sworn to.

Examination of petition.

Primary election.

Candidate receiving majority declared elected.

Election if no candidate receives majority.

Rules and regulations.

Publication.

Person sought  
to be  
removed  
candidate.

Person  
deemed  
removed.

Board to  
elect in case  
of vacancy.  
Commission-  
er removed  
not eligible.

and all arrangements for holding such election, and the same shall be conducted, returned, and the results thereof declared in all respects as other city elections. The successor of any officer so removed shall hold office during the unexpired term of his predecessor. Any person sought to be removed may be a candidate to succeed himself, and unless he requests otherwise in writing, the Clerk shall place his name on the official ballot without nomination. At such election, if some other person than the incumbent is elected, the incumbent shall thereupon be deemed removed from the office upon qualification of his successor. In case the party elected should fail to qualify within ten days after receiving notification of election, the office shall be deemed vacant, and in that event the unexpired term shall be filled by election of the Board, but the Commissioner removed shall not be eligible to election by the Board, and the person so elected by the Board shall be subject to recall as other Commissioners. If the incumbent receives a majority of votes in the primary or the election he shall continue in office. The said method of removal shall be cumulative and additional to any other method provided by law. That in the event any officer is recalled and any person is elected as his successor that the right of recall of such successor so elected shall be as in case of officer originally elected.

## CHAPTER XIII.

### SALARIES

Salaries.

Of Mayor.

Of Commis-  
sioner.

Of other  
employees.

Sec. 53. The Mayor and Commissioners shall have offices at the City Hall. The compensation of the Mayor shall be twenty-six hundred (\$2600) dollars per annum, and that of each Commissioner twenty-four hundred (\$2400) dollars per annum, payable in equal monthly payments. Every other officer, agent, employee, and assistant of the City Government shall receive such salary or compensation as the Board of Commissioners shall by ordinance provide, payable in equal monthly installments, unless the Board shall order payments to be made at non-payment intervals.



## CHAPTER XIV.

## MEETINGS

Sec. 54. Regular meetings of the Board of Commissioners shall be held daily, except Sundays, at such time as the Board shall by ordinance provide, and special meetings may be called at any time by the Mayor or two Commissioners. All meetings of the Board of Commissioners, regular or special, shall be open to the public. Two members of the Board of Commissioners shall constitute a quorum, and the Mayor shall be entitled to a vote as a Commissioner, and shall not be entitled to another vote in case of a tie.

Commissioners meet daily.  
Special meetings.  
Meetings to be open to public.

Quorum.  
Vote of Mayor.

Sec. 55. At the first meeting of the Board of Commissioners, after the regular election of the members thereof, they shall elect a Mayor *pro tem.* from among their members, who shall, in the absence or inability of the Mayor to serve, perform the duties of Mayor.

Mayor pro tem.

Sec. 56. That at their first meeting after their election, or as soon thereafter as is practicable, the Board of Commissioners shall elect, by ballot, the following officers, to-wit: A City Treasurer, who shall be one of the Commissioners other than the Mayor, and who shall serve without further remuneration, a City Attorney, and a City Clerk, who shall hold their respective offices at the will of the Board.

Officers to be elected by the Commissioners.

Sec. 57. That if any Commissioner shall fail to attend a regular meeting of the Board of Commissioners, or a special meeting of which he shall have had notice, as prescribed in this act, he shall, unless excused by the Board, forfeit and pay for the use of the city the sum of four dollars, which forfeiture may be enforced by the Mayor.

Failure to attend meetings.

Sec. 58. The said Board of Commissioners shall, during the month of May of each year, or as soon thereafter as is practicable, make a careful estimate of the probable revenues of the city, for the next fiscal year and apportion the same together with any surplus left over to the general fund from the preceding year, as herein provided, to the several departments of the City Government, reserving from said estimate not more than ten per cent. of the total amount of the revenue estimated, as above provided, to be used in case of emergencies.

Estimate and apportionment of revenue.

Reserve for emergencies.

Heads of departments to furnish estimates.

Proviso: Change of apportionment.

Proviso: Surplus to general fund.

Quarterly reports.

Duties of City Clerk.

Seal of City.

Clerk of Municipal Court.

Bond of Treasurer.

Amount.

Any unexpended portion of said reserved fund created for any fiscal year shall constitute a part of such reserve fund for the ensuing year. Such estimate or budget shall be prepared in such detail as the said Board shall deem advisable, and in order to enable the said Board to properly make the apportionment hereinbefore required, the heads of each department of the city shall, at least ten days before said apportionment is made, furnish in writing to said Board, estimates in detail of the amounts needed for their respective departments, which estimates shall be considered by the Board of Commissioners in determining the amount apportioned to each department of the city; provided, that any apportionment made by said Board of Commissioners to any department of the city may at any time be increased or reduced, or may be diverted from one department to another by a majority vote of all the members of the Board; and provided further, that if at the end of the fiscal year any surplus remains to any department of the city for which an apportionment was made, the same shall be credited to the general funds of the city, and shall form part of the general funds for the next ensuing fiscal year. That at the end of each quarter during the fiscal year each of the heads of the various departments of the city shall file with the Board of Commissioners an itemized report of all moneys received and disbursed by his department, and showing for what and to whom such money was paid.

Sec. 59. It shall be the duty of the City Clerk to attend each meeting of the Board of Commissioners, and to keep the minutes and records of all the proceedings of said Board in well bound books provided for that purpose, and to preserve all books, papers and writings of all kinds committed to his care during his continuance in office and deliver them to his successor, and to account for and pay over all moneys which may come into his hands by virtue of his office, to keep the corporate seal of the city and to affix same when lawfully directed so to do, to act as Clerk of the Municipal Court, and shall perform such other duties as may be required of him by this act or by the Board of Commissioners.

Sec. 60. The City Treasurer shall give bond, in some bonding company, in such sum and form, and with such conditions as may be required by the Board of Commissioners, the amount of said bond shall not be less than \$10,000.00, and the same to be approved by the Board of Commissioners, said bond to be

paid for out of the regular expense funds of the city. It shall be his duty to call on all persons having in their hands any moneys or securities belonging to the city which ought to be paid and delivered into its treasury, to surrender the same to him, and to receive and safely keep and pay out the same only on warrants, signed by the Mayor and countersigned by some other person to be designated by the Board of Commissioners. All moneys belonging to said city and received by any officer or agent thereof, from any source whatsoever, shall, unless otherwise herein directed, be by him turned over to said Treasurer, as hereinafter provided, for which the Treasurer shall give a receipt to the party so paying. Said Treasurer shall keep, in books provided for that purpose, a full and correct account of all moneys received and disbursed by him and shall render a statement of his receipts and disbursements to the Board of Commissioners at the first of each month, and at such other time as may be required of him by said Board. Said Board of Commissioners shall have the right to require of the Treasurer a new bond whenever, in their opinion, the existing bond is insufficient, and whenever such new bond is required he shall perform no official act until said bond shall be given and approved in the manner aforesaid. That said Board of Commissioners may, in their discretion, select one or more banks in the County of Guilford as depository banks for the City of Greensboro, and should such bank or banks be so selected as above provided it shall then be the duty of said Treasurer to make daily deposits of such sums and moneys as shall be received by him from all sources whatsoever to his credit as Treasurer in one or more of said banks, and such depository bank or banks, before any such deposit is made therein, shall be required to enter into an obligation with the said Board of Commissioners to pay into the treasury of said city interest at a rate to be fixed by said Board of Commissioners, which said interest shall be payable at the end of each month, and shall be based on the daily average balances for the month; provided, the rate of interest to be paid by said bank may at any time be changed by the Board of Commissioners. The said bank or banks may, in the discretion of the Board, be required also to execute a good and sufficient bond, with sureties to be approved by the said Board of Commissioners, and conditioned that such bank or banks will safely keep and account for and pay over said money on demand and as ordered by the Board of Commissioners. All interest paid by any such bank upon

Premium  
paid by  
city.

Money and  
securities to  
be paid in  
warrants.

Accounts and  
reports.

Commission-  
ers may re-  
quire new  
bond.

Depository  
Banks.

Daily  
deposits.

Interest on  
deposits.

Proviso:  
Change of  
interest  
rates.

Bonds from  
banks.

Collection  
and report  
of interest.

Funds and  
accounts of  
different de-  
partments.

Final settle-  
ments of  
Treasurer.

such balance shall be collected by the Treasurer of said city, and shall be by him reported in his next statement following such collection, and shall be considered and treated as part of the general funds of said city, subject to its use for any legitimate or municipal purpose. That whenever required by this Charter or by the Board of Commissioners said Treasurer shall keep the funds and the accounts thereof of the different departments of the city separate. Said Treasurer shall do and perform such other acts as said Board of Commissioners may require of him, and on the expiration of his term of office, or upon the same being for any reason vacated, he shall deliver to his successor in office all the moneys, securities and other property which are, or ought to be, in his hands by virtue of his office.

Collection of  
taxes.

Penalty for  
retaining  
funds.

Credit on  
settlements.

Accounts to  
be audited,  
reported and  
recorded.

Sec. 61. The Commissioner of Public Accounts and Finances, of said city, in the collection of taxes shall be vested with the same power and authority as is given by the state to sheriffs for like purpose, and shall be subject to the same fines and penalties on failure or neglect of duty. It shall be his duty to collect all taxes levied by the Board of Commissioners, and he shall be charged with the sums appearing on the tax list as due for city taxes. He shall at no time retain in his hands over three hundred dollars for a longer time than seven days, under a penalty of ten per cent. per month to be paid to the city upon all sums so unlawfully retained. In the settlement with the Commissioner of Public Accounts and Finances he shall be credited with all poll taxes and taxes of personal property which the Board of Commissioners shall declare to be insolvent and uncollectable, and with such amounts as may be involved in suit by appeal from the ruling of the Board, and he shall be charged with and shall pay over all other sums appearing on the tax list as hereinbefore provided. After the accounts of said Commissioner shall be audited and settled, the same shall be reported to the Board of Commissioners and, when approved by them the same shall be recorded in the minute book of said Board, and shall be *prima facie* evidence of correctness, and impeachable only for fraud or specified error.

Duties of  
City Attor-  
ney.

Sec. 62. That it shall be the duty of the City Attorney to prosecute and defend all suits for and against the city, to advise the Mayor, Board of Commissioners, and all other commissioners, officers, agents, and departments of the city in re-

gard to matters connected with the city's business, and it shall be his duty, when required so to do, to attend the meetings of the Board of Commissioners, and to prepare such deeds, contracts, bonds and other legal papers as may be required for the city's business.

Sec. 63. The Chief of Police, acting under the Commissioner of Public Safety, shall have the supervision and control of the police force, and it shall be his duty to report to the Commissioner of Public Safety any failure of duty on the part of any member of the police force, and at the end of each month he shall have a settlement with each policeman on account of penalties, fees and costs collected by him; that it shall be the duty of said Chief of Police to see that all laws and ordinances of the city are enforced and to do all such things as may be required of him by the Board of Commissioners or by the Commissioner of Public Safety. He shall report any violation of law or the ordinances of the city to the Judge of the Municipal Court. The Chief of Police and each member of the police force shall have the same power and authority as are vested in sheriffs and constables for the preservation of the peace of the city. Such power and authority to be exercised by them not only in the corporate limits, but within one mile outside thereof, and anywhere within Lindley Park, or on any rights of way, easements or property of the city without the corporate limits thereof, and on the right of way of any street railway or extension thereof, within and without the city limits, operating under a franchise granted by the city, for the purpose of enforcing ordinances and regulations of the city enacted for police and sanitary purposes, and for the further purpose of suppressing disturbances and apprehending offenders. They shall execute all process legally directed to them by any court within the county, and in the execution thereof shall have the same powers that sheriffs and constables have in the discharge of like duties, and may take bail for the appearance of defendants or other persons charged with violation of law or of city ordinances in the manner and to the extent as such power is vested in sheriffs. They shall receive and turn over to the City Clerk all fees arising from the execution of process of any kind issued to them by any court, which fees shall be the same as that of sheriffs for like service.

Powers and  
duties of  
Chief of  
Police.

Extensions of  
powers one  
mile beyond  
city limits,  
etc.

Powers and  
duties in exe-  
cution of  
process.

Sec. 64. The Board of Commissioners of the City of

Rules and regulations for government of police.  
Appointment of special police.

Badges, arms, uniforms, etc.

Proviso:  
Plain clothes men.

Powers of police.

Keeper of jail to receive prisoners.

Fees of jailer.

Proviso:  
City prison.

Policemen to be sworn.

Oaths to be filed and recorded.

Greensboro shall make rules and regulations for the government and direction of the police of the city. In times of exigency the Commissioner of Public Safety may appoint, temporarily, such additional policemen as shall be necessary, who shall take the same oath and be vested with the powers and subject to the same control as regular policemen. The Board of Commissioners of said city shall require the entire police force to wear badges, and to be so armed and uniformed as to be readily recognized by the public as peace officers; provided, that the Commissioner of Public Safety, when he deems it necessary, may authorize such officer to be on duty in plain clothes. The police of the city shall have power to do whatever may be necessary to preserve the good order and peace of the city, and secure the inhabitants from personal violence and their property from loss or injury.

Sec. 65. The keeper of the common jail of the County of Guilford is hereby required to receive into the common jail of said county, without a mittimus, any person taken up in the night time by police force, and to keep such person safely until the following morning, when such offender shall be brought out for trial, and for such services the jailer shall be entitled to have such fees as are allowed him by law in like cases; provided, the city may provide and use a prison or calaboose for the confinement of prisoners as provided by law.

Sec. 66. That the Chief of Police and each member of the police force shall, before entering upon the discharge of the duties of his office, be required to take and subscribe before the Mayor, or some other officer authorized to administer oaths in such cases, the oath prescribed for public officers, and an oath that he will faithfully and impartially discharge the duties of his office according to law, which said oaths shall be filed with the Mayor and entered in the book with the oaths of the Board of Commissioners and other officers of the city.

## CHAPTER XV.

### TAXES

Taxation.

Sec. 67. That for the purpose of raising revenue for defraying the expenses incident to the proper government of the city, the Board of Commissioners of the City of Greensboro shall have the power, and they are hereby authorized, to levy

and collect, for general purposes, an annual ad valorem tax on all real and personal property within the corporate limits of said city, and on all personal property, including money on hand and solvent credits owned by residents of said city, and on all other property subject to an ad valorem tax under the laws of the State of North Carolina, not exempt from taxation by the Constitution and laws of the said state, of and at the rate of not exceeding eighty cents on the one hundred dollars valuation of said property, and for the purpose of paying interest on municipal bonds said Board shall levy and collect an annual ad valorem tax on all property subject to taxation, as hereinbefore provided, of not more than fifty cents on the one hundred dollars valuation of said property. The term "real property," as used in this act, shall be construed to mean the same as defined in Section 2857 of the Revisal of 1905, and the term "personal property," as used in this act, shall be construed to mean all property which is not real. The taxes hereby authorized to be levied shall become due and payable on September the first of each year, and a discount may be allowed by the Board of Commissioners for the payment of taxes as follows: For the payment of all taxes during the said month of September 2 per cent., during the month of October 1 per cent., and during the month of November one-half of 1 per cent. And for all taxes not paid prior to January the first following, the said Board shall charge the following penalties, to-wit: For taxes paid during the said month of January a penalty of 1 per cent., during the month of February of 2 per cent., and for each additional month, or fraction thereof, thereafter said taxes shall remain unpaid, there shall be added an additional penalty of 1 per cent., which penalty shall be charged and collected as part of and in the same manner as such taxes.

Ad valorem

Rate.

Tax for interest on bonds.

Real property defined.

Personal property defined.

When taxes due.

Discounts.

Penalties.

Sec. 68. Said Board may also levy, and collect for general \*[and school purposes], a poll tax not exceeding one dollar and eighty cents, and for the purpose of paying interest on the municipal bonds of said city a poll tax not exceeding one dollar and twenty cents, said poll tax to be levied on the taxable polls of all male persons who may be residents of the city on the first day of June of each year.

Poll tax for general purposes and interest on bonds.

Sec. 69. That upon all dogs kept in the city, and which

Dog tax.

\* Private Laws North Carolina 1911, page 69.



Taxed, sub-  
ject of lar-  
ceny.

Discrimina-  
tion of sex.

Ordinances  
for tax  
collection.

Collection by  
distress.

Provide  
means to  
collect taxes.

Require prop-  
erty to be  
listed upon  
basis of  
county and  
state.

Mayor to  
give bond.

Bonds of  
other officers.

List of delin-  
quents.

Double taxes.

may be so kept on the first day of June of each year, said Board may levy a tax not exceeding five dollars and any dogs so taxed shall be the subject of larceny; provided, that a discrimination within the limit above fixed may be made by said Board on the different species and sexes of dogs.

Sec. 70. Said Board of Commissioners of the City of Greensboro shall have the power to provide all ordinances for and prompt collection of all taxes.\* That if all of such taxes are not paid on or before the first day of February, next following the listing of said taxes, the Commissioner of Public Accounts and Finances shall proceed to collect such taxes and penalties by distress and sale as provided by law; provided, the time for listing property for taxation shall be during the month of June of each year.

[Sec. 70(a). Said Board of Commissioners shall provide by an ordinance or otherwise means for the collection of taxes in said city and shall cause property to be listed for taxation which has not otherwise been listed as required by law; but the collection of taxes for city purposes shall be upon the basis of assessment for county and state purposes.]\*

[Sec. 70(b). That the Board of Commissioners of the City of Greensboro shall require of the Mayor, who is also the Tax Collector of said city, a good and sufficient bond in a sum not less than ten thousand dollars to protect the city against loss; and may require of any and all officers and employees such bonds as they may deem necessary and may pay the expenses of providing such bonds, as also of the bond of the Mayor.]\*

Sec. 71. That the Commissioner of Public Accounts and Finances shall, after the most diligent inquiry, and by comparing his book with the county tax books, make out a list of all persons liable for poll tax, or for taxes on property, who have failed to return a list in the manner and in the time prescribed, together with the estimated value of all the property not listed, and shall enter such persons in a separate part of his book, and shall charge them up with double taxes. No person shall be excused from paying said double tax except on application to the Board of Commissioners and for causes shown.

\* Amendment Private Laws North Carolina 1911, page 77.

Sec. 72. That all persons who are liable for poll tax to the said city, and who shall wilfully fail to give themselves in, and all persons who own property and who wilfully fail to list it within the time allowed by law, as aforesaid, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not more than twenty-five dollars or imprisoned not more than ten days, and it shall be the duty of the Commissioner of Public Accounts and Finances of said city to prosecute offenders against this section.

Failure to list a misdemeanor.

Penalties.

Commissioner to prosecute.

Sec. 73. That as soon as the Commissioner of Public Accounts and Finances shall have furnished the assessment roll as provided, and the same shall have been revised by the Board (if such revision is deemed necessary), the Board of Commissioners shall proceed to levy the taxes on such subjects of taxation as provided in the Charter, and shall place the tax lists in the hands of the said Commissioner of Public Accounts and Finances for collection.

Board to levy taxes.

Tax lists to Commissioner Public Accts.

Sec. 74. The lien for taxes levied for any and all purposes in each year shall attach to all the real estate of the tax payers within the city on the first day of June annually, and shall continue until such taxes, with any penalty and costs which shall accrue thereon, shall be paid. But there shall be no lien for taxes on the personal property of the tax payer but from a levy thereon.

Lien for taxes on real estate.

Lien on personal property.

Sec. 75. That in addition to the subjects listed for taxation the said Board of Commissioners for the purpose of raising revenue, may levy an annual license tax on the following subjects, the amount of which taxes shall be collected by the Commissioner of Public Accounts and Finances, and if not paid when due the same may be recovered by suit brought in the name of the city, or the articles upon which the tax is imposed or any other property of the licensee may be forthwith distrained and sold to satisfy said tax, namely:

License taxes.

(1) Upon all itinerant merchants or peddlers vending or offering to vend in the city, a license tax not exceeding fifty dollars a year, except such only as sell books, charts, maps or wares of their own manufacture, but not excepting vendors of medicine by whomsoever manufactured; and not more than one person shall peddle under a single license.

Itinerant merchants or peddlers.

Games and  
gaming  
tables.

(2) Upon every billiard table, bowling alley, or alley of like kind, bowling saloon, bagatelle table, pool table, or table, stand, or place for any other game or play, with or without a name, kept for hire, or kept in a house where liquor is sold, or a house used or connected with a hotel or restaurant, a license tax not exceeding one hundred dollars a year.

Retail liquor  
license.

(3) Upon every permission by the Board of Commissioners to retail spirituous, vinous, malt or intoxicating liquors of any kind, a license tax of one thousand dollars, and upon wholesale dealers in spirituous, vinous or malt liquors, a license tax not less than two hundred dollars and not more than five hundred dollars.

Wholesale.

Hotels.  
Boarding  
houses.  
Restaurants.

(4) Upon every hotel a license tax not exceeding one hundred dollars; upon every boarding house with more than ten boarders, and every restaurant and eating house, a license tax not exceeding fifty dollars; and the Board of Commissioners may levy the license taxes provided for in this subsection, according to the size, patronage or income of the hotels, boarding-houses, restaurants, and eating houses.

Circus.

(5) Upon every circus, company of circus riders or performers by whatever name called, who shall exhibit within the city, or in one mile thereof, a license tax not exceeding one hundred dollars for each performance or separate exhibition, and upon every side show connected therewith, a license tax not exceeding twenty dollars, the tax to be paid before exhibition, and, if not, to be doubled.

Side shows.

Other shows.

(6) Upon every company or person exhibiting in the city, or within one mile thereof, stage or theatrical plays, sleight-of-hand performances, rope dancing, tumbling, wire dancing or menageries, a tax not exceeding twenty dollars for every twelve hours allowed for exhibiting, the tax to be paid before exhibiting, or the same shall be doubled.

Exhibition of  
artificial  
curiosities.

(7) Upon every exhibition, for reward, of artificial curiosities (models of useful inventions excepted), in the city, or within one mile thereof, a tax not to exceed twenty dollars, to be paid before exhibition, or the same shall be doubled.

Other shows,  
concerts, and  
strolling mu-  
sicians.

(8) Upon each show, or exhibition of any other kind, and on each concert for reward (unless for religious or beneficial purposes), in the city, or within one mile thereof, and on every strolling musician, a tax not exceeding ten dollars, to be paid before exhibition, or the same shall be doubled;

provided, however, that plays, shows, or other amusements given in a regularly licensed hall or opera house shall not be taxed.

Proviso:  
Shows in  
licensed  
halls.

(9) Upon every dog which may be brought into the city after the first of June, to be kept therein, a tax not exceeding five dollars, for the permission to keep such dog in the city, which permission shall not extend further than the last day of May next ensuing.

Dogs.

(10) Upon every auctioneer or crier of goods at public auction, a license tax not exceeding fifty dollars a year.

Auctioneers.

(11) Upon every stock and bond broker, sewing machine company, or agent for such company, dealer in or manufacturer's agent of musical instruments, keeper of sales stables, livery stables or stock yards doing business in the city, a license tax not exceeding twenty-five dollars a year.

Brokers, and  
other occu-  
pations.

(12) Upon every person engaged in the business of posting, distributing or tacking up bills, posters, signs, or advertisements of any kind, a license tax not exceeding fifty dollars.

Bill posters.

(13) Upon every building and loan association, oil agency or shooting gallery, a license tax not exceeding twenty dollars.

Building and  
loan com-  
panies, shoot-  
ing gallery,  
oil agency.

(14) Upon every street huckster, photographer, merchandise or produce broker, ice dealer, dealer in wood and coal or either, insurance agent or agency, and every skating rink, a license tax not exceeding ten dollars a year.

Huckster, ice,  
wood, etc.  
etc.

(15) Upon every telephone or electric light company, power company, street railway company, waterworks company furnishing water to the city or citizens, a license tax not exceeding one hundred dollars per annum.

Public ser-  
vice company.

(16) That each marble yard, undertaker, plumber, or persons putting gas or water fixtures in houses or yards, a license tax not exceeding ten dollars.

Marble yard,  
undertakers,  
plumbers.

(17) Each barber shop, rope walker, itinerant dealer in lightning rods and stoves, every dealer in fertilizer, practicing physician, dentist or surgeon, optician, oculist, civil engineer, aurist, chiropodist, or any person engaged in the sale of any specifics, carriage, buggy or wagon agent, or any person offering vehicles for sale as a business, each architect or builder, cigar manufactory, tobacco factory, or tobacco warehouse, each dancing school, every agent for the sale of machinery, engines, every soda or mineral water fountain,

Barber shop,  
physician,  
etc., etc.

every stallion or jack standing in the city, every lecturer for reward except for religious or charitable purposes, each dairy wagon or vehicle, land agent or land broker, each butcher, persons selling jewelry or any other article having a prize given therewith, each printing office, each dealer in patent rights, and every lawyer or firm, a license tax of ten dollars.

Distilleries,  
bottlers of  
beer, etc.

(18) Upon each distillery of fruit or grain, and each distiller or compounder of spirituous liquors, and upon every beer bottling establishment, and every opera house or hall used for theatrical, musical or other entertainment of like kind, a license tax not exceeding one hundred dollars.

Banks, etc.

(19) Upon every bank or banker, each junk shop or dealer in metals, cordage, etc., every mill, manufactory, machine shop or foundry, a license tax not exceeding fifty dollars a year.

Commission  
merchants,  
etc.

(20) Upon all commission merchants and commercial brokers, a license tax not exceeding ten dollars a year.

Vehicles.

(21) Upon every omnibus, hack, cab, carriage, dray, baggage wagon, used to transport persons, baggage, freight or other articles for hire, a license tax not exceeding twenty dollars.

Moving  
pictures.

(22) On moving picture shows a license tax not exceeding fifty dollars.

Vaudeville.

(23) On moving picture shows in connection with vaudeville acts or on vaudeville shows alone a license tax not exceeding one hundred dollars.

Skating rinks.

(24) On skating rinks a license tax not exceeding fifty dollars.

Dealers in  
soft drinks.

(25) On every person, firm or corporation selling "near beer," cider, or any kind of soft drinks under whatever name containing one-half per cent. of alcohol or more but not in sufficient quantities to intoxicate, a license tax not exceeding five hundred dollars.

Business and  
trades not  
named.

(26) On any business, profession, trade or avocation of any kind carried on in the City of Greensboro not hereinbefore enumerated a license tax not exceeding five hundred dollars.

License year.

Sec. 76. That the license year shall begin on the first day of June of each and every year.

Sec. 77. That the Board of Commissioners shall have the power to graduate any of the license taxes permitted in this Charter, by dividing the business into classes according to size, patronage or income. Provided, the said taxes must be uniform for all in a class.

Taxes may be graduated.  
Proviso: Must be uniform as to class.

Sec. 78. That in addition to the subjects enumerated in the foregoing the said Board of Commissioners of the City of Greensboro shall, for the purpose of raising revenue, have power to tax all persons, firms or corporations and all subjects of taxation which, under the Constitution and laws of the State of North Carolina, are taxable by the General Assembly for state and county purposes; provided, such tax shall not exceed one-half of that levied annually on like subjects by the state and county for state and county purposes.

Further subjects of taxation.  
Proviso: Limit on rate.

Sec. 79. That the Board of Commissioners may provide that all licenses issued hereunder shall be kept posted in such place as they may deem right and proper.

Posting of licenses.

Sec. 80. That the Board of Commissioners of the City of Greensboro shall have the power to license, tax, regulate, restrict, prohibit and revoke any license, after being issued, on the following business, viz.:

Powers of restriction or revocation.

For running billiard tables, bowling alleys or alleys of like kind, bowling saloons, bagatelle tables, pool tables, or tables for any other game or play, with or without a name, for the use of which a charge is directly or indirectly made, for pawnbroker, or for selling "near beer," cider, or any other soft drink, of whatever name, containing one-half of one per cent. or more of alcohol, but not in sufficient quantities to produce intoxication. Before issuing license as above, said Board may require bonds from all applicants, conditioned as the Board of Commissioners may determine, with such sureties as the said Board may approve.

Bonds of licensees.

Sec. 81. Said Board may regulate and license plumbers and those engaged in the electrical wiring of buildings for light, power or heat, and before issuing a license, may require the applicant to be examined and to give bond in such sum and upon such conditions as the Board of Commissioners may determine, and with such sureties as it may approve, and said Board may, for incompetency on the part of such licensees or for refusal to comply with the ordinances relating to such

Regulation license of plumbers and electric wiremen.  
Examination and bonds.

Revocation  
of license.

business, or for any other good cause, revoke any license issued hereunder.

License  
before  
work.

Sec. 82. No person, firm or corporation shall do any kind of plumbing or electrical wiring of buildings without first having obtained a license from said Board.

License  
limited.  
Not trans-  
ferable.

Sec. 83. That no license issued hereunder by said Board shall be for more than one year, and same shall not be transferable or assignable except by the permission of the Board of Commissioners.

Doing busi-  
ness without  
license a mis-  
demeanor.

Sec. 84. Any person carrying on or practicing any business, profession, trade or avocation of any kind upon which a license tax has been levied, without first having obtained a license therefor, shall be guilty of a misdemeanor, and shall, upon conviction, be fined not more than fifty dollars, or imprisoned not more than for thirty days.

Punishment.

No license  
fill tax  
paid.

Sec. 85. That no license shall be issued, as herein provided, before the license tax shall have been paid.

## CHAPTER XVI.

### STREETS

Procedure  
for con-  
demnation  
of streets.

Sec. 86. That when any land or right of way shall be required for the purpose of opening new streets, or widening or changing those already opened, or other objects allowed by this charter, and the compensation therefor cannot be agreed upon by the owner or owners and the Board of Commissioners, the same may be condemned and taken by the Board of Commissioners at a valuation to be made by three disinterested freeholders of the city, one of whom shall be chosen by the Board of Commissioners and one by the owner or owners, and in case these two do not agree, then the two thus chosen shall select a third, and in case the owner or owners, or any of them, fail or refuse to choose a freeholder, as above provided, for five days after being notified so to do, then it shall be the duty of the Board of Commissioners to appoint a disinterested freeholder to act on the part of said owner or owners, and in making said valuation, said freeholders, after giving the owner or owners or their agent notice, or giving ten days' notice in a

Arbitration.

newspaper published in the city, in case such owner cannot be found in the city, and after being duly sworn to act impartially and fairly, shall take into consideration the loss or damage which may accrue to the owner in consequence of the land or right of way being surrendered, also such benefit or advantage such owner may receive from the opening, widening or changing of such streets or other improvements, and ascertain the sum, if any, which shall be paid to the owner of said property, and report the same to the Board of Commissioners, under their hands and seals, which report, on being confirmed by the Board and spread upon their minutes, shall have the effect of a judgment against the City of Greensboro, and shall pass the title to the City of Greensboro, of the land so taken, and the land may at once be taken and used by the city for the purpose intended; provided, that if either the owner or owners whose land is taken under this paragraph, or the Board of Commissioners, shall be dissatisfied with the valuation thus made, either party may appeal to the next term of the Superior Court; provided, however, that such appeal shall not hinder or delay the Board of Commissioners in opening, widening or changing such street or making such improvement.

Ten days' notice if owner cannot be found in city.

Proviso:  
Right of appeal.

Sec. 87. That the Board of Commissioners of the City of Greensboro shall have power to control, grade, macadamize, cleanse, and pave and repair the streets and sidewalks of said city and make such improvements thereon as they may deem best for the public good, and may provide for and regulate the lighting of the public parks, and regulate, control, license, prohibit and prevent digging in said streets and sidewalks, or placing therein of pipes, poles, wires, fixtures, and appliances of every kind, whether on, above or below the surface thereof, and regulate and control the use thereof by persons, animals and vehicles. To prevent, abate and remove obstructions, encroachments, pollution or litter therein, and shall have under their government, management and control all parks and squares within or without the city limits established by the Board of Commissioners for the use of the city.

Power of Commissioners as to streets and parks.

To prevent, abate, and remove obstructions, etc.

Sec. 88. That every owner of a lot on a street, if so ordered by the Board of Commissioners, shall pave, or repair in such manner as the Board of Commissioners may direct, such

Lot owners to pave or repair sidewalks.



Pave one-fourth street.

Work done by Commissioner of Public Works.

Expense a lien on lot.  
Enforcement of lien.

Proviso:  
Work done by city at cost of owner.

Cost a lien on lot.

Proviso:  
Assessment may be payable in installments.

sidewalk as far as it may extend along such lot; and shall also, if so directed by the Board of Commissioners, macadamize, pave or otherwise improve one-fourth of the street adjoining, with such materials and in such a manner as may be required by the Board of Commissioners, and all work done under this section shall be done under the strict supervision of the Commissioner of Public Works, and on the failure to do as directed within twenty days after notice by the said Commissioner, or of the Chief of Police to said owner, or if he be a non-resident of the County of Guilford, to his agent, or if such non-resident have no agent in said county known to the Board, or if personal notice cannot be served upon the owner or agent, then after publication of a notice by the said Commissioner, for ten days in some newspaper published in Greensboro, calling on the owner to make such repairs, the Board of Commissioners or the Commissioner of Public Works may cause the same to be repaired or improved as directed by the Board and the expense shall be paid by the person in default; said expense shall be a lien upon said lot, and if not paid within two months after completion of the work such lot may be sold, or enough of the same to pay such expenses and costs, by the Commissioner of Public Accounts and Finances of said city, under the same rules, regulations and restrictions, rights of redemption and savings as are prescribed in said Charter for the sale of land for unpaid taxes; provided, however, that the Board of Commissioners, in order to secure uniformity in the work done, may, after giving ten days' notice in the manner herein prescribed to the owner, have all the work provided for herein done by the city forces or by contract, and charge the actual cost of such work to the abutting property, and the said charges shall be lien as herein provided, and collectible as provided above; provided, further, that if the property owner should so elect, and give notice of the fact, in writing, to the Board within the two months hereinbefore prescribed, he shall have the privilege and option of paying the said assessment in five equal annual installments, each installment to bear interest at the rate of six per cent. per annum from the date on which the said work is done up to the time when the same shall be due and collectible, which said date shall be the date on which the taxes are due and collectible, and in case of the failure or neglect of any property owner to pay said installment when the same shall be due and collectible, then,

in that event, all of said installment shall at once become due; said property shall be sold as hereinbefore provided and said installments, interest and cost, be paid and surplus, if any, paid to the owner; provided, further, that whenever the city has had any of the said work done it shall give the owner of the said abutting property ten days' notice of the amount charged against his said property, and if the said owner is dissatisfied with the amount of the said charge he may give notice to the Board of Commissioners within ten days aforesaid that he takes an appeal to the next term of the Superior Court of Guilford County, and shall, within five days thereafter, serve statement of facts upon which he bases his appeal. The said appeal shall at the said term of court be tried as other actions at law; and the said owner may in like time and manner appeal from any order or act of the Board of Commissioners made or done under this section, but said appeal shall not delay or stop the said improvements.

Proviso:  
Owner to be  
notified of  
cost.

Right of  
appeal.

Trial on  
appeal.

Sec. 89. That the Board of Commissioners of the City of Greensboro shall have power to prohibit cellars or entrances to cellars under the sidewalks of said city, or any obstructions upon the streets or sidewalks thereof.

Cellars or  
cellar en-  
trances.

## CHAPTER XVII.

### WATER AND LIGHTS

Sec. 90. That the city may own and maintain its own light and water-works systems to furnish water for fire and other purposes, and light to the city and its citizens, but shall in no case be liable for damages for a failure to furnish a sufficient supply of either water or light.

Power to  
own light and  
water sys-  
tems.  
City not  
liable for  
damages.

Sec. 91. That the Board of Commissioners shall have power to acquire and hold, in the name of the city, rights of way, water rights and other property within and without the city limits, and the Board of Commissioners shall have power to condemn and take rights of way, easements, water rights and other property within and without the corporate limits of the city for the purpose of getting, storing, maintaining and furnishing a pure and adequate water supply, and of furnishing lights for the city and its citizens. That the proceedings in said condemnation shall be the same as are herein provided for the condemnation of land for street purposes.

Power to  
acquire  
rights of way  
and water  
rights.

Condemna-  
tion pro-  
ceedings.

Supervision  
of water and  
light sys-  
tems.  
Rates.

Lien on prop-  
erty.

Water cut  
off.

Misdemeanor.  
Punishment.

Accounts with  
water-works.

Sec. 92. That the said Board of Commissioners shall have entire supervision and control of the maintenance, improvement and management of the said systems, and shall fix such uniform rates for water as they think best. That said Board of Commissioners shall fix the time or times when said water rents shall become due and payable, and in case such rent is not paid within ten days after it becomes due, the same shall become a lien upon the property where said water is used and with which said water collections are made; and the same may at any time thereafter be collected, either by suit in the name of the city or by the collector of taxes for the city, by the sale of the property upon which said lien attaches at the court house door in the City of Greensboro, after advertising the same for thirty days in some newspaper published in the City of Greensboro; and the said sale is to be made under the same rules and regulations, and subject to the same costs and penalties and to the same rights of redemption as are provided in the charter of the city for the sale of real estate for taxes. That upon the failure of the owner of property for which water is furnished, under the rules and regulations of the said Board of Commissioners, to pay said water rents when due, then the said Board of Commissioners, or its agents or employees, may cut off the water from the said property; and when so cut off, it shall be unlawful for any person, firm or corporation, other than the said Board of Commissioners, or its agents or employees, to turn on said water to said property, or to use the same in connection with the said property, without having first paid said water rent and obtained permission from the Commissioner of Public Works, or some officer in his department, to turn on said water; and any person, firm or corporation convicted of the violation of any one of the provisions contained in this section shall be guilty of a misdemeanor, and shall be fined not exceeding fifty dollars, or imprisoned not exceeding thirty days.

[Sec. 92(a). That it shall be the duty of the Board of Commissioners of the City of Greensboro, and of the Tax Collector and Treasurer and of the Commissioner who is Tax Collector and of the Commissioner who is Treasurer of the City of Greensboro to keep a separate statement and account of the money received by the City of Greensboro from the water-works system; and it shall be the duty of the said Board of Commissioners to give preference to the water-works system

over the other departments of the city in such funds and to provide for the proper upkeep of the water-works system, and an amount necessary for the enlargement of the water-works system before turning over to other departments the money so received.]\*

Up-keep and  
improve-  
ments.

## CHAPTER XVIII.

### CITY HALL, MARKET AND OPERA HOUSE, ETC.

Sec. 93. The Board of Commissioners of the City of Greensboro shall provide for the supervision and control of the City Hall Building.

City Hall  
building.

Sec. 94. The Board of Commissioners may conduct an opera house, or may lease the same upon such terms as it may deem best, and may exempt from city license taxes theatres and other shows using the City Opera House and paying rent therefor.

Power to  
conduct or  
lease opera  
house.

Sec. 95. The Board of Commissioners of the City of Greensboro have power to provide for the establishment, maintenance and regulation of markets and slaughter places, may prescribe the time and place of sale of fresh meats, fish and other marketable products; may rent the stalls in such manner and at such prices as it may deem best; may appoint a keeper of the market, or other persons, who may summarily condemn all unsound products offered for sale in the city for food, and cause the same to be removed at the expense of the person offering it for sale.

Power to  
provide mar-  
kets and  
slaughter  
houses.

Keeper of  
market.

Condemn un-  
sound food.

That the Board shall grant at least two licenses for market stands in the territory outside the old city limits, formerly known as South Greensboro, until the city establishes a market or branch market in said territory.

Market  
stands in  
South  
Greensboro.

Sec. 96. It is hereby declared a misdemeanor for any person to sell or offer for sale in the city any unsound articles for food, and any person convicted of any violation of this section shall be fined or imprisoned in the discretion of the court.

Misdemeanor.

Punishment.

\* Amendment Private Laws North Carolina 1911, page 681.

## CHAPTER XIX.

## SEWERAGE

Sewer sys-  
tem.

Condemna-  
tion pro-  
cedure.

Power to  
enforce con-  
nection with  
sewers.

Removal of  
garbage,  
slops, and  
trash.

Power to sum-  
marily abate  
nuisances.

Expense paid  
by party in  
default.  
Lien on  
lot.

Sec. 97. That the said Board of Commissioners shall have power to provide, construct, establish, maintain and operate a system of sewerage for the city, and protect and regulate the same by adequate rules and regulations, and if it shall be necessary in obtaining proper outlets to the said system to extend the same beyond the corporate limits, the Board of Commissioners may condemn a right of way or rights of way to and for such outlet or outlets, and the proceedings for such condemnation shall be as herein provided for opening new streets and other purposes.

Sec. 98. That the Board of Commissioners may require all owners of improved property which may be located upon or near any line of said system of sewerage, to connect with such sewerage all water closets, bath tubs, lavatories, sinks, or drains upon their respective properties or premises, so that their contents may be made to empty into such sewer.

Sec. 99. That the Board of Commissioners may by ordinance provide for the removal, by wagons or carts, all garbage, slops and trash from the city, and when the same is not removed by the private individual in obedience to such ordinance, may require the wagons or carts to visit the houses used as residences, stores and other places of habitation in the city, and also may require all owners or occupants of such houses, who fail to remove such garbage or trash from their premises, to have the garbage, slops, and trash ready and in convenient places and receptacles, and may charge for such removal the actual expense thereof.

Sec. 100. That the Board of Commissioners, Chief of Police, Commissioner of Public Safety, or other officer or officers, who may be designated for this purpose by said Board, shall have power summarily to remove, abate or remedy, or cause to be removed, abated or remedied, everything in the city limits, or within a mile of said limits, which is dangerous or prejudicial to the public health; and the expense of such action shall be paid by the person in default, and if not paid shall be a lien upon the land or premises where the trouble arose, and shall be collected as unpaid taxes.

## CHAPTER XX.

## FIRES AND FIRE DEPARTMENT

Sec. 101. That the Board of Commissioners shall have power to provide for the organization, equipment, maintenance and government of fire companies and a fire department; and in its discretion, may provide for a paid fire department, and for this purpose may create any offices and employments and fix their compensation as to the Board may seem right and proper.

Fire department.

Sec. 102. That the Board may establish and maintain fire limits in the city, in which it shall be unlawful to erect, alter and repair wooden buildings or structures or additions thereto; it may also prohibit the removal of wooden buildings or structures of any kind into said limits, or from one place to another within the limits, and make such other regulations as may be deemed best for the prevention and extinguishment of fires.

Fire limits.

May make it unlawful to erect, alter, or repair wooden buildings.

Sec. 103. The Board of Commissioners may make rules and regulations governing the erection and construction of buildings in the city so as to make them as safe as possible from fire; and in case of fire the Mayor, the Commissioner of Public Safety, or any two members of the said Board of Commissioners, may order the blowing up, tearing down or destruction in any other way that may seem best of any building, when it is deemed necessary to stop the progress of the fire; and no person shall be held liable, civilly or criminally, for acting in obedience to the orders thus given.

Building rules.

Power to destroy buildings.

## CHAPTER XXI.

## CARE FUND FOR CEMETERIES

Sec. 104. That the Board of Commissioners are authorized to create a fund to be known as the perpetual care fund for the cemetery, or cemeteries, for the purpose of perpetually caring for and beautifying the cemetery or cemeteries, and said fund shall be kept by the city, as is provided for bequests and gifts for cemetery purposes; and said Board may make contracts with plot or space owners in the cemetery, or ceme-

Care fund for cemeteries.

Contracts for maintenance of cemetery lots.

teries, obligating the city to keep up and maintain said lots or spaces, in perpetuity, upon payment of such sum or sums as may be fixed by the Board of Commissioners; and the Board of Commissioners is further authorized and empowered to accept gifts and bequests for such purposes, or upon such other trusts as the donors may prescribe; and said Board is authorized to set aside for said perpetual care fund an amount not exceeding 25 per cent. of the proceeds of sale of cemetery lots.

Gifts or  
bequests.

Principal  
fund.

Income.

Gifts held in  
trust.

Separate  
accounts.

That the principal of said funds so appropriated by the Board of Commissioners for caring for the cemetery, or cemeteries, shall be held by the said Board of Commissioners for caring for and beautifying the cemetery, or cemeteries, and improving the same. The income from the said fund heretofore or hereafter made shall be used for such purpose of carrying out contracts with the individual plot or space owners for perpetual care of individual plots and spaces.

That any gifts heretofore or hereafter made to and received by the city, or any of its officers, shall be held and used as a sacred trust fund for the purposes and upon the conditions named in such gifts or bequests, and any and all such funds shall be kept or invested separate and shall not be used for any other purpose, or by the city in its other affairs.

That the City Treasurer shall keep a separate account of the cemetery funds, and a still further separate account of all special gifts or bequests made by persons for and in connection with the cemetery, or cemeteries, and particular lots therein.

The Board of Commissioners shall have the power to make rules and regulations and adopt ordinances for the carrying out of the duties imposed by this section.

## CHAPTER XXII.

### GENERAL LAWS APPLICABLE

General law  
applicable.

Sec. 105. That the provisions of sections 2982 to section 3010 inclusive, of the Revisal of 1905 of North Carolina, shall apply to the City of Greensboro, where not inconsistent with the provisions of this Act.

## CHAPTER XXIII.

## ELECTION ON ADOPTION OF COMMISSION FORM OF GOVERNMENT

Sec. 106. That on the first Tuesday in February there shall be held, in the City of Greensboro, an election at which all voters who are then registered and qualified to vote shall be entitled to vote for the purpose of determining whether it is the will of such voters that the foregoing shall become law applicable to the City of Greensboro. That the election shall be advertised by the Board of Aldermen for twenty consecutive days prior to the holding of such election. Said advertisement shall be inserted in each daily newspaper published in the City of Greensboro. That such election shall be conducted in all things as are elections for Mayor and Aldermen under the present law as nearly as may be.

Election on  
ratification of  
act.Advertise-  
ment.Law govern-  
ing election.

Sec. 107. That at each voting place in said city, at such election, there shall be provided one box in which each person entitled to vote may deposit one ballot. That those wishing to vote that the foregoing provisions shall become law applicable to the City of Greensboro may vote a ballot upon which there shall be printed or written the words "For Commission Form of Government," and each of those wishing to vote against the foregoing provisions becoming law applicable to the City of Greensboro may vote a ballot on which shall be printed or written the words "Against Commission Form of Government."

Ballot boxes.

Ballots.

Sec. 108. That the election officers for each precinct shall, within six hours from the time the polls are closed in the election to determine the question as to whether the foregoing provisions shall become law, shall count the ballots and certify the result to the Mayor and Board of Aldermen. The Mayor and Board of Aldermen shall, within twenty-four hours, examine such certificates and formally declare whether a majority of those voting have voted "For Commission Form of Government" or "Against Commission Form of Government," and spread upon their minutes the record of their determination, and if it shall appear therefrom that a majority of those voting at such election have voted "For Commission Form of Government" the foregoing sections of the

Count of  
vote and cer-  
tificate of  
result.Declaration  
of result.



proposed charter and laws shall at once become effective and the law applicable to the City of Greensboro, North Carolina, as if unconditionally passed by the General Assembly of North Carolina.

Failure to  
perform a  
duty a misde-  
meanor.

Punishment.

Penalty.

When act  
effective.

Sec. 109. That if the Mayor or any of the Aldermen of the City of Greensboro shall fail to perform any of the duties imposed upon them, relative to holding elections provided for by this Act, they and each of them so neglecting shall be guilty of a misdemeanor, and fined or imprisoned in the discretion of the court, and shall also be liable to a penalty of one hundred dollars, one-half of which shall be payable to the County School Fund and one-half to the party who shall sue for same.

Sec. 110. That this Act shall be in force and effect from the date of declaring carried the election "For Commission Form of Government," in the manner above set out.

#### CHAPTER XXIV.

#### VALIDATION OF ELECTION, ETC.

Sec. 111. [Whereas, the act passed by the General Assembly of North Carolina at its session of one thousand nine hundred and eleven, ratified on the seventeenth day of January, one thousand nine hundred and eleven, with reference to the City of Greensboro, was to become effective if ratified by a majority of votes passed at an election provided for in said act, and

Whereas, at such election a majority of the voters voted a ticket "for commission form of government", and a minority of the voters voted a ticket "against commission form of government" now therefore,

The General Assembly of North Carolina do enact:

That said act shall be and the same is effective as therein provided: Provided, however, that nothing in this act and nothing in the said act ratified the seventeenth day of January, one thousand nine hundred and eleven, shall be construed as repealing or in any way affecting any act of the General Assembly of North Carolina or the ordinances of the City of Greensboro, authorizing, validating, or in any way relating to any bonds of the said City of Greensboro that have heretofore been issued, or which may hereafter be issued by said City of Greensboro, under and by virtue of any act

Not to  
affect bonds.

heretofore passed: Provided, further, that nothing in this act or in the said act ratified the seventeenth day of January, one thousand nine hundred and eleven, shall be construed in any manner as affecting the powers and duties of the Mayor and Board of Aldermen of the City of Greensboro, under the present laws and ordinances, prior to the election and qualification of the Board of Commissioners provided for in the said act ratified January the seventeenth, one thousand nine hundred and eleven, when such existing laws and ordinances are not in conflict with the provisions of this act, or of the said act ratified January seventeenth, one thousand nine hundred and eleven.]\*

Not to  
affect  
duties of  
Mayor.  
Ordinances,  
etc.

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\* Amendment Private Laws North Carolina 1911, page 680.



GENERAL INDEX

TO THE

Charter of the City of Greensboro

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CLASSIFIED BY SECTIONS



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